

SECTION VII COMMENTS AND COORDINATION

7.1 PUBLIC INVOLVEMENT

The public involvement process described throughout this Section attempted to include all residents and population groups in the study area and did not exclude any persons because of income, race, color, religion, national origin, sex, age, or handicap. Opportunities to obtain maximum public input while preparing the Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS) have included study committee meetings, local officials meetings, public information meetings and Public Hearing, and individual meetings with local units of government and other interested groups or individuals. The following is a summary of these activities.

7.1.1 Study Committees

The STH 26 corridor study is divided into three study segments to facilitate development and consideration of alternatives and to better address local and other concerns. The Wisconsin Department of Transportation established study committees for each of the three study area segments. Each county, city, village, and town with potential to be impacted by corridor alternatives was asked to recommend up to three representatives to serve on one or more study committees. All recommended individuals, including many elected officials and technical staff, are study committee members.

Study committees also include individuals with special knowledge about historic preservation, the environment and business. Native American groups were asked about their interest in having representatives on the study committees and they declined. The Forest County Potawatomi Community of Wisconsin, the Menominee Indian Tribe of Wisconsin, the Oneida Tribe of Wisconsin, and the Ho-Chunk Nation requested that study committee meeting minutes be provided for their information and were sent minutes by the Wisconsin Department of Transportation, Bureau of Environment. County historical societies and museums in Rock, Jefferson, and Dodge Counties were sent a letter informing them of the study, asking if they would like study committee agendas, and if they had questions about the study. No response was received.

The study committees represent the following segments of the project:

- Study Committee #1: South Segment - Janesville to Fort Atkinson (IH 90 to Fort Atkinson Bypass)
- Study Committee #2: Central Segment - Fort Atkinson to Johnson Creek (Fort Atkinson Bypass to Baneck Lane)
- Study Committee #3: North Segment - Johnson Creek to Watertown (Baneck Lane to STH 60-East)

Meetings with each of the Study Committees were informal sessions set up to share information about the study and encourage local input and assist in data gathering for this project. The Study Committees were not voting bodies. Public involvement meetings for the general public as described in section 5.1.3 were held in addition to the Study Committee meetings.

Issues discussed at each of the Study Committees included existing and forecasted traffic volumes, potential solutions including through-town alternatives, typical roadway sections, land use, access points, findings from written comments received at the public information meetings and Public Hearing, historic preservation, the project enumeration process of the Transportation Projects Commission (TPC), and the selection of a Preferred Alternative for STH 26. Input from these meetings was an important source of information for the ongoing process of refining alternatives on a continuous basis.

Study Committee #1 met twelve times in Milton on:

- April 12, 1999
- May 10, 1999
- August 9, 1999
- October 11, 1999
- December 13, 1999
- March 13, 2000
- May 8, 2000
- February 12, 2001
- April 9, 2001
- May 14, 2001
- September 10, 2001
- October 8, 2001

Study Committee #2 met ten times in Jefferson on:

- April 28, 1999
- May 26, 1999
- July 28, 1999
- September 22, 1999
- December 9, 1999
- February 23, 2000
- April 26, 2000
- January 24, 2001
- March 28, 2001
- September 26, 2001

Study Committee #3 met eleven times in Watertown on:

- April 14, 1999
- May 12, 1999
- August 11, 1999
- October 13, 1999
- December 8, 1999
- March 8, 2000
- May 10, 2000
- January 10, 2001
- March 14, 2001
- September 12, 2001
- October 10, 2001

7.1.2 Local Officials Meetings

The first Local Public Officials Meeting was held on March 19, 1999, in Fort Atkinson. County, city, village, and township officials from civil divisions representing the entire study area were given an overview of the study, which included the study purpose and study approach. The study approach included a generalized description of known physical and environmental features within a 2-3 mile (3.2-4.8 km) radius of existing STH 26, proposed schedule, public involvement activities, Environmental Impact Statement (EIS) process, study decision making process, and development of study committees. General concerns from local officials included: farmland preservation; truck traffic through cities; the Jefferson County Farm; land use relationships; existing at-grade intersection access to the STH 26 Fort Atkinson Bypass; traffic volumes on town and county roads; protection of the Storrs Lake Wildlife Area and historic sites; and, safety at the STH 60-West interchange.

A second Local Public Officials Meeting was held on January 5, 2000, in Jefferson. County, city, village, and township officials from civil divisions representing the entire study area were invited. Those attending were given an update of the study status prior to the second Public Information Meetings (PIMs; discussed below). An overview of the study from its beginning in February 1999 to the present described how the initial alternatives were modified or dismissed, summarized input from the first PIMs held in June 1999 and subsequent alternative development, and described the alternatives remaining under consideration and to be shown at the second set of PIMs. Planned improvements along the study corridor in the next few years were also briefly described. The state decision making process for major projects and the Transportation Project Commission (TPC) format was reviewed. General concerns from local officials included anticipated schedule for the TPC meeting, need for Johnson Creek roadway improvements, need for early real estate acquisition, floodplain impacts west of Jefferson, project cost, and urban sprawl.

7.1.3 Public Information Meetings/Public Hearing

Eight sets of public information meetings (PIMs) and a set of Public Hearings were held to present corridor alternatives and to solicit public input. The meetings were announced through news releases to area newspapers, radio and television stations, project newsletters, and notices mailed to potentially affected property owners. For convenience to the general public, the first and second series of public information meetings and the series of Public Hearings were held at three different locations on three separate dates. The three locations were in the cities of Milton, Jefferson, and Watertown, with the same information presented at each location.

Meetings were conducted in an “open house” format from either 4:00 to 8:00pm or 5:00 to 9:00pm. The first set of PIMs included a brief presentation on the study and a public question and answer session. The second set of PIMs had a video that provided a study overview for the public on continuous display. Both sets of PIMs and Public Hearings had staff members from the consultant team and WisDOT, including real estate personnel, available to discuss the project at each of the meetings. The Public Hearings also had court reporters available to transcribe public testimony.

In addition to the first two PIMs and Public Hearings held to review study alternatives, a third PIM was held to review archaeological and historic resources. This latter meeting was held to give the public an opportunity to learn the results of preliminary archaeological and historic studies along the STH 26 alternative corridors and to comment on them. Five additional PIMs were held after the Public Hearing to give the public an opportunity to view study alternatives and modifications to study alternatives, as well as identification of the Preferred Alternative.

7.1.3.1 First Public Information Meeting

The first series of PIMs was held on June 9, 1999, in Watertown; June 14, 1999, in Jefferson; and June 21, 1999, in Milton. The meetings were attended by a total of 547 people which included 139 people in Watertown, 231 people in Jefferson, and 177 people in Milton. Display exhibits included 1”=1000’ scale aerial photo maps of the project depicting the preliminary corridor alternative alignments; a four-lane roadway typical section; and a 13 page handout package, including maps of the preliminary alternatives, a project summary, a project schedule, a summary of estimated impacts for corridor alternatives, and a comment form.

General comments received at or following the first PIM held in Milton included the following:

- Concern over impacts to the Milton House and other historic sites along existing alignment. 177 postcards stating opposition to the expansion of STH 26 along the existing corridor were received.
- Besides historical concerns, expansion of STH 26 along existing corridor was opposed because of potential impacts to East Elementary School and Goodrich Park.
- Utilizing the investment of the new four-lane facility between Janesville and Milton was supported.
- Access to IH 90 would improve emergency service on IH 90.
- Safety concerns at the STH 26/CTH N intersection north of Milton.
- Concerns over loss of farmland.
- East bypasses were generally supported because of the need for good access to the commercial and industrial areas in Milton.

General comments received at or following the first PIM held in Jefferson included the following:

- Concerns over loss of farmland, homes, wetlands, and wildlife habitats.
- The effect of an east bypass of Jefferson on the safety of residents and students at St. Coletta School.
- Jefferson's public elementary, middle, and high schools were located in close proximity on west side of Jefferson, and a west bypass would provide good access to these schools.
- A west bypass of Jefferson would accommodate traffic for events at the fairgrounds.
- Building the bypass to the west of Jefferson would be consistent with the Fort Atkinson Bypass.

General comments received at or following the first PIM held in Watertown included the following:

- Truck traffic and the industrial area would be better served with a west bypass of Watertown.
- Access to Watertown Memorial Hospital, located on the northeast side of the city, is better served with an east bypass.
- Safety concerns along STH 26 north of Watertown.
- Environmental concerns included loss of farmland and wetlands.
- Utilizing the STH 16 bypass on the northeast side of Watertown makes economic and environmental sense.

7.1.3.2 Second Public Information Meeting

The second series of PIMs was held on January 10, 2000, in Jefferson; January 11, 2000, in Milton; and January 19, 2000, in Watertown. The meetings were attended by a total of 652 people which included 280 people in Watertown, 235 people in Jefferson, and 137 people in Milton. Many of the preliminary alternatives were either modified or dismissed based on impacts associated with the alternatives, safety and design considerations, comments received from the June 1999 PIMs, discussions with the study committees, and other communications received. The remaining alternatives were shown at these meetings. The detailed study alternatives were selected after these meetings.

Display exhibits included 1"=1000' and 1"=500' scale aerial photo maps of the project depicting the study alternative alignments; a four-lane roadway typical section; a summary evaluation matrix; and a handout package, including maps of the preliminary alternatives, a project summary, a project schedule, a summary of estimated impacts for corridor alternatives, and a comment form. Maps showing the proposed 2001-02 improvements in Johnson Creek were also displayed. A continuously running video was shown providing an overview of the study area and project.

General comments received at or following the second PIM held in Milton included the following:

- Concerns over impact of Alternative S3 to rural residential areas including Oak Ridge and The Reserve Subdivisions.
- Support for Alternative S2 was based on a number of factors, including: less impact to the Milton House and other historic sites; less impact to residences; less impact to the Storrs Lake Wildlife Area; less impact to farmland; using land from both the town and city of Milton; more compatibility with future land use plans; and, better access to the north side of Milton.
- Alternative S3 was preferred because it would not impact the Milton House and other historic sites, was the route previously mapped by the City of Milton, would not pass through the city, and would allow for more future growth for the City of Milton.
- Support for an interchange on the south side of Milton.
- Farmland was a concern, with suggestions to preserve more farmland, minimize severance damage, and locate the highway in an area less suitable for farming with relatively minor adjustments.
- There was little support for a through town alternative in Milton.
- Concerns over residential and farm access onto and crossing STH 26.

General comments received at or following the second PIM held in Jefferson included the following:

- Alternative C2 (near west bypass) was supported because it provides better access to the schools, fairgrounds, and south industrial area in Jefferson.
- USH 18 from the west to downtown Jefferson would better serve truck traffic than USH 18 from the east.
- The Jefferson west side bypass matches up better with the Fort Atkinson bypass since it is also on the west side.
- Concerns over impacts to St. Coletta School with an east bypass of Jefferson.
- An east side bypass, particularly Alternative C3 (near east), would provide better access to Jefferson's north industrial park.
- A Jefferson east side bypass would have less impact to the area's multi-generation family farms and the natural environment, particularly the floodplains located west of the city.
- There was little support for a through town alternative in Jefferson.
- Concerns over land preservation. Alternatives C1 (far west bypass) and C4 (far east bypass) were not compatible with current land use plans and would encourage urban sprawl. Alternative C2 (near west bypass) was supported because the floodplains near USH 18 would stay undeveloped.

General comments received at or following the second PIM held in Watertown included the following:

- A west bypass would better serve the industrial and residential development on the west side of Watertown.
- Support for the connection of STH 26, STH 19, and STH 16 under Alternative N1 (west).
- Requests for Alternative N1 (west) to be located further west of Watertown.
- Requests for an interchange at CTH A to improve access both in Watertown and in the rural areas.
- Support for an east bypass of Watertown to connect STH 26 to STH 16.
- Little support for a through town alternative in Watertown.
- Suggestions for alternative refinements that would minimize farmland impacts, including severances.
- Concerns over residential and farm access onto and crossing STH 26.

7.1.3.3 Third Public Information Meeting for Archaeological and Historic Resources

On Thursday, January 27, 2000, a public information meeting on archaeological and historic resources was held at the Jefferson City Hall, in Jefferson from 4:30pm to 6:30pm. Notice informing people and groups about the meeting was included in the approximately 2,000 Second PIM meeting notices that were distributed to potentially affected property owners, local officials, and interested citizens. Notice of the meeting was also included on display signs at each of the Second PIM meetings; in press releases that went out to area media, and in letter notices sent to Historic Preservation Commissions, area historical societies, Milton House representatives, and Native American groups. The meeting was held to give the public an opportunity to learn results and comment on preliminary archaeological and historic studies along the STH 26 alternative corridors. A representative of SHPO was present at the meeting and was available to answer questions. A total of 46 people registered at the meeting.

On display were 1"=1000' scale aerial maps showing location of corridor alternatives under consideration, and 1"=200' scale aerial maps showing through town alternatives for Milton, Jefferson, and Watertown. A through town Rail Corridor alternative was also displayed for Watertown. Historic architecture properties that were either listed or potentially eligible for listing on the National Register of Historic Places (NRHP) were labeled on the maps. Comment forms were provided for attendees to submit written comments.

A brief overview of the study and a summary of the alternatives under study in each of the three segments were provided. The Section 106 Cultural Resources process was described. It was explained that the National Preservation Act of 1966 requires that federally funded projects consider impacts on important archaeological and historic resources.

The archaeological consultant for the study described the methodology and results of the preliminary study for archaeological resources. This study determined that there are numerous reported archaeological sites in the areas of the Rock and Crawfish Rivers. No burial mounds were found within the study alternative corridors, and it is estimated that the density and significance of archaeological sites on the west and east sides of Jefferson were similar.

The historic consultant for the study described the methodology and results of the preliminary study for historic architectural properties. Results of the study indicate a number of historic properties and four historic districts that are either listed or potentially eligible for listing on the National Register of Historic Places (NRHP). Most of these historic properties are located within the urban communities of Milton, Jefferson, and Watertown. Many rural properties have been altered over the years and making them ineligible for listing on the NRHP.

The meeting concluded with a questions and answers session. Following the meeting, the public was given the opportunity to review the exhibits, ask questions of the staff, and comment.

7.1.3.4 Public Hearing

A series of Public Hearings was held on October 4, 2000, in Jefferson; October 11, 2000, in Watertown; and October 12, 2000, in Milton. The Public Hearing meetings were attended by a total of 538 people that included 163 people in Jefferson, 244 people in Watertown, and 131 people in Milton. Display exhibits included 1"=1000' and 1"=500' scale aerial photo maps of the project depicting the detailed study alternatives, a four lane roadway typical section, a multi page handout package including maps of the

detailed study alternatives, project summary, a summary of estimated impacts for corridor alternatives, and a comment form.

A general summary of the Public Hearing held in Jefferson includes the following:

The total number of responses postmarked as of December 15, 2000 was 173. Ten people spoke at the formal hearing, 38 people spoke to the court reporters at the informal hearing and 131 people provided written testimony. This is greater than 173 people because several people provided comments in more than one fashion. Comments with both a specific preference and a specific opposition are listed as follows:

- 5 people were in general support of a bypass
- 26 people were in general support of a particular bypass alternative
- 15 people were in general opposition to a bypass
- 123 people were in general opposition to a particular bypass alternative, including 107 advocates for St. Colleta
- 4 people had miscellaneous comments

Municipalities that specifically commented as part of the public hearing process included the Jefferson County Highway Committee of the Jefferson County Board of Supervisors who was in general support of a bypass, the City of Jefferson Common Council who passed a resolution supporting Alternative C2, the Town of Jefferson Board who passed a resolution supporting Alternative C2(b), and the Town of Koshkonong Board who passed a resolution addressing many town concerns. Additionally the Jefferson School Board of Education passed a resolution opposing Alternative C2(b).

A general summary of the Public Hearing held in Watertown includes the following:

The total number of responses postmarked as of December 15, 2000 was 138. Twenty-three people spoke at the formal hearing, 44 people spoke to the court reporters at the informal hearing and 83 provided written testimony. This is greater than 138 people because several people provided comments in more than one fashion. Comments with both a specific preference and a specific opposition are listed as follows:

- 9 people were in general support of a bypass
- 74 people were in general support of a particular bypass alternative, including 52 identical letters supporting an east bypass
- 17 people were in favor of further evaluation of a railroad corridor alternative
- 15 people were in general opposition to a bypass
- 13 people were in general opposition to a particular bypass alternative
- 10 people had miscellaneous comments

Over 70 percent of the respondents expressed support for some type of improvement for the Highway 26 corridor in the Watertown area. Municipalities that specifically commented as part of the public hearing process included the Jefferson County Highway Committee of the Jefferson County Board of Supervisors and the Dodge County Highway and the Dodge County Planning and Development Committees of the Dodge County Board of Supervisors who were in general support of a bypass, and the Town of Shields Board who was in general support of an east bypass.

A general summary of the Public Hearing held in Milton includes the following:

The total number of responses postmarked as of December 15, 2000 was 398. Nine people spoke at the formal hearing, 20 people spoke to the court reporters at the informal hearing and 371 people provided written testimony. This is greater than 398 people because several people provided comments in more than one fashion. Comments with both a specific preference and a specific opposition are listed as follows:

- 369 people were in general support of a particular bypass alternative, including 277 respondents to a Milton Courier ballot supporting the S3 alternative
- 18 people were in general opposition to a bypass
- 14 people were in general opposition to a particular bypass alternative
- 11 people had miscellaneous comments

Municipalities that specifically commented as part of the public hearing process included the Town of Koshkonong Board who passed a resolution addressing many town concerns, and the Director of the Planning, Economic and Community Development of Rock County who suggested an S2/3 Compromise Alternative.

7.1.3.5 Fourth Public Information Meeting

A fourth PIM was held in Watertown on January 23, 2001, to present and discuss a new through-town freeway alternative (access permitted only at interchange locations) that partially followed a railroad corridor in the City of Watertown, plus modifications of Alternatives N1 and N2, based on comments received at the October 2000 Public Hearing, discussions with the study committees, and other communications received. The meeting was attended by a total of 505 individuals. A preferred alternative, N1, was identified after this meeting.

Display exhibits included 1"=1000' and 1"=500' scale aerial photo maps of the project depicting the new railroad corridor alternative alignment and the existing study alternative alignments; a four-lane roadway typical section; and a handout package, including maps of the study alternatives, a project summary, a project schedule, a summary of estimated impacts for corridor alternatives, and a comment form.

General comments received at or following the fourth PIM held in Watertown included the following:

The total number of responses received as of February 20, 2001 was 293. Comments with both a specific preference and a specific opposition are:

- 144 people were in general support of a bypass
- 87 people were in general support of Alternative N1
- 19 people were in general support of Alternative N2
- 6 people were in general support of the Rail Corridor Alternative
- 57 people were in general opposition to a bypass
- 16 people were in general opposition to Alternative N1
- 3 people were in general opposition to Alternative N2
- 64 people were in general opposition to the Rail Corridor Alternative
- 22 people had miscellaneous comments

Of the respondents supporting a bypass in the Watertown area, 65 percent were in support of a west bypass. The vast majority of the respondents were in opposition to the rail corridor alternative, including the major local institutions. A number of businesses responded, one of whom who had collected over 1,100 signatures on a petition opposing the rail corridor alternative. Several people felt that if Alternative N1 was the preferred alternative, an interchange at CTH A should be added.

7.1.3.6 Fifth Public Information Meeting

A fifth PIM was held in Milton on June 27, 2001, to present and discuss modifications of Alternatives S2 and S3 based on comments received at the October 2000 Public Hearing, discussions with the study committees, and other communications received. A new preliminary alternative that passed through the Oak Ridge and Bonny Meade golf courses was also shown for review. This new preliminary alternative, was developed and studied at the request of the Wisconsin Department of Natural Resources, and was previously dismissed due to land use impacts. The meeting was attended by a total of 107 individuals. A preferred alternative, S3, was identified after these meetings.

Display exhibits included 1"=1000' and 1"=500' scale aerial photo maps of the project depicting the study alternative alignments; computer generated visualization drawings of Alternative S2 at the crossing of existing STH 26 in Milton, and Alternative S3 adjacent to the Storrs Lake Wildlife Area, were shown on aerial photographs; a four-lane roadway typical section; and a handout package, including maps of the study alternatives, a project summary, a project schedule, a summary of estimated impacts for corridor alternatives, and a comment form.

General comments received at or following the fifth PIM held in Milton included the following:

The total number of responses postmarked as of July 14, 2001 was 14. Comments with both a specific preference and a specific opposition are:

- 10 people were in general support of Alternative S2
- 2 people were in general opposition to a Alternative S3
- 2 people had miscellaneous comments

7.1.3.7 Sixth Public Information Meeting

A sixth PIM was held in Watertown on March 10, 2003, to present and discuss three improvement areas for the identified preferred alternative N1 based on Value Engineering studies and local comments and discussions. One area of improvement is just south of Watertown where a local frontage road is planned between Horseshoe Road and CTH Y to improve local circulation. The second area includes a change in the layout of the north interchange for Watertown to reduce land and construction costs, and to make better use of Church Street for local access. The third area is north of Watertown, between Second Street and CTH JM, where STH 26 is being adjusted slightly to allow a frontage road to serve local needs. The meeting was attended by a total of 200 individuals.

Display exhibits included 1"=1000' and 1"=500' scale aerial photo maps of the project depicting the improvement areas for the identified preferred alternative N1; and a handout package, including a map of the identified preferred alternative, a project summary, and a comment form.

General comments received at or following the sixth PIM held in Watertown included the following:

The total number of responses postmarked as of March 21, 2003 was 10. Comments received are:

- 4 people were in general support of Alternative N1 and improvement modifications
- 2 people supported additional modifications
- 4 people had miscellaneous comments

7.1.3.8 Seventh Public Information Meeting

A seventh PIM was held in Milton on November 5, 2003, to present and discuss improvement areas for the identified preferred alternative S3 based on Value Engineering studies and local comments and discussions. Planned improvements include a new interchange and relocation of CTH Y near McCormick Road; extension of Harmony Town Hall Road; new overpasses at Town Hall and Town Line Roads; extension of Henke Road to include a half diamond interchange with STH 26; a relocation of CTH M; elimination of a previously planned interchange north of Milton; and a modification of the Pond Road/Koshkonong Lake Road. The meeting was attended by a total of 225 individuals.

Display exhibits included 1"=1000' and 1"=500' scale aerial photo maps of the project depicting the improvement areas for the identified preferred alternative S3; and a handout package, including a map of the identified preferred alternative, a project summary, and a comment form.

7.1.3.9 Eighth Public Information Meeting

An eighth PIM was held in Janesville on April 19, 2004, to present and discuss access options for STH 26 between Janesville and Milton. Proposed improvements included: access control along STH 26, interchange options, and several local road extensions and connections. Exhibits included overview and detail exhibits for each alternative option, and Corridors 2020 mapping.

The meeting was announced through news releases to area media and a letter to individual residents and property owners within a mile corridor band either side of existing STH 26 between Janesville and Milton (approximately 1,500 individuals). The meeting was held in an open house format that began at 4:30 pm and ended at 8:00 pm. A presentation followed by questions and answer period was held at 6:00 pm.

Approximately 175 people attended the PIM. A handout included project information letter, a summary of the options, and a form for written comments. Twenty-three written comments were received. Of the 23 written comments received, several indicated a preference for a proposed improvement option to STH 26 as summarized as follows:

- 2 were in favor of Option 1 – full interchange near McCormick Road and half interchange at Henke Road.
- 3 were in favor of Option 2 – full interchange at Wright Road and half interchange at Henke Road.
- 3 were in favor of Option 3 – full interchange near McCormick and full interchange at Town Hall Road and no interchange at Henke Road.
- 3 were in favor of a “no-build” alternative
- 5 were in favor of a future bypass between Milton and Janesville
- a number of individuals favored some sort of access control for the area.
- Remaining written comments focused on individual concerns.

7.1.4 Additional Meetings

Various local group and individual meetings were held to provide project updates and address local concerns. Twenty-four meetings have been held with officials from individual towns and cities in the study area. Project briefing meetings were held with the Jefferson County Board and the highway committees from Rock, Jefferson and Dodge Counties. Numerous meetings and telephone conversations with potentially affected property owners occurred. Two meetings were held with St. Coletta of Wisconsin to determine issues of concern to their operation and to review alternatives. Several meetings were held with officials from Janesville, Milton, and the Township of Harmony to discuss interchange locations and access options for STH 26 between Janesville and Milton.

7.1.5 Project Notification and Newsletters

Letters were sent to local officials inviting them to a meeting on March 19, 1999 to inform them of the initiation of the study and to announce and organize the Study Committees.

Notices were distributed to potentially affected property owners, local officials, interested citizens and identified local interest groups prior to the first public information meetings in June 1999 to inform them about the study and to announce the upcoming meetings.

Letters were sent to local officials inviting them to a meeting on January 5, 2000 to inform them of the second public information meetings in January 2000 and to provide an update prior to the meetings.

Newsletters were distributed to potentially affected property owners, local officials, interested citizens, and identified local interest groups prior to the second public information meetings in January 2000 and the Public Hearing meetings in October 2000. The newsletter included highlights of the upcoming meetings, maps and descriptions of the proposed alternatives, the project schedule, and project contact names, addresses, and telephone numbers.

Notices were also distributed to potentially affected property owners, local officials, interested citizens, and identified local interest groups prior to all public information meetings to announce the upcoming public information meetings. Contact names, addresses, and telephone numbers were provided as part of the notices.

7.1.6 News Media

News releases were distributed to area media, including newspapers, radio, and television, to initially announce the study and to announce upcoming public information meetings. Contact names, addresses, and telephone numbers were provided as part of the releases.

7.1.7 Toll-free Telephone

A toll-free telephone number was established at the start of the study. Calls were logged, and when requested, specific information was provided back to the caller.

7.2 AGENCY COORDINATION

7.2.1 **Pre-Draft EIS**

7.2.1.1 Scoping Process

Scoping letters were sent on April 6 & 7, 1999, to state and federal agencies and Native American groups to familiarize them with the project and to solicit their interest and concerns. An Agency Scoping Meeting that included a field review of the study corridor area was held on April 27, 1999. Preliminary alternatives were developed based on constraints identified during the scoping process, involving early coordination with federal and state agencies and Native American groups, as well as Study Committee Meetings and public involvement described above. Coordination with agencies has been ongoing throughout the preparation of the EIS.

Scoping letters were mailed to the following state and federal agencies and tribal entities:

Federal Highway Administration
Wisconsin Dept of Natural Resources, Southern District
Wisconsin Dept of Transportation, District 1 and various Bureaus
Wisconsin Dept of Administration
Dept. of Agriculture, Trade, and Consumer Protection
State Historical Society
State of Wisconsin Dept of Labor & Human Resources
U.S. Army Corps of Engineers
U.S. Environmental Protection Agency, Region 5
U.S. Dept of Agriculture, Natural Resources Conservation
U.S. Dept of Housing and Urban Development
U.S. Dept of Interior, Bureau of Land Management
U.S. Dept of Interior, Fish & Wildlife Service
U.S. Department of Interior, National Park Service
U.S. Forest Service
Bureau of Indian Affairs
Great Lakes Inter-Tribal Council, Inc.
Bad River Band of Lake Superior
Forest County Potawatomi Community
Lac Courte Oreilles Band of Lake Superior
Lac Du Flambeau Band of Lake Superior
Oneida Tribe of Indians
Red Cliff Band of Lake Superior
Sokaogon Chippewa (Mole Lake)
St. Croix Chippewa Indians
Stockbridge Munsee Community of Wisconsin
Ho-Chunk Nation
Menominee Indian Tribe of Wisconsin

Agencies expressing an interest or concerns with the project included: U.S. Department of Interior (DOI) Fish and Wildlife Service (FWS); DOI National Park Service (NPS); U.S. Environmental Protection Agency (EPA); U.S. Corps of Engineers (COE); Wisconsin Department of Natural Resources (WDNR); Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP); and State Historical

Society of Wisconsin (SHSW). Native American Tribes expressing an interest or concerns with the project include Ho-Chunk Nation, Menominee Indian Tribe of Wisconsin, Forest County Potawatomi Community, and Oneida Tribe of Indians. Following is a summary of the agency and tribal involvement.

7.2.1.2 State Agencies

State Historical Society of Wisconsin (SHSW)

April 8, 1999	Letter from SHSW responding to initial scoping letter and noting new Section 106 requirements for historical and archaeological review of highway projects that went into effect June 1, 1997.
April 27, 1999	Scoping meeting and field review. Areas of concern included the Milton House, archaeological resources between the Crawfish and Rock Rivers west of Jefferson, Native American participation, and public involvement.
October 25, 1999	Coordination meeting to review historic architecture and archaeological findings to date.
December 15, 1999	Meeting to review architecture/history survey summary. Determinations of Eligibility (DOE) required for the Draft EIS was agreed upon.
May 24, 2000	Notification from SHSW that they concurred with recommendation of eligibility for National Register listing for Slight's Standard Filling Station, and Alverno Cottages. The William Graham Farmhouse and the Witte Farmstead are not eligible for the National Register.

Wisconsin Department of Natural Resources (WDNR)

April 27, 1999	Scoping meeting and field review. Areas of concern included the Storrs Lake Wildlife Area east of Milton and minimizing impacts to wetlands and threatened or endangered species.
July 1, 1999	Letter from WDNR identifying endangered resources in project area.
October 27, 1999	Field review meeting to identify concerns. Environmental features were viewed in each of the three study segments.
January 24, 2000	Letter from WDNR commenting on Concurrence Point #1 (Purpose and Need) and preliminary alternatives for project.
February 24, 2000	Field meeting discussing bypass alternatives for city of Jefferson.
March 30, 2000	Meeting with WDNR to discuss modifications to C2 alternative on near west side of city of Jefferson. Provided maps of modification and corridor alternative locations for South and Central segments.
April 10, 2000	Meeting with WDNR, Town of Jefferson Chairperson, State Representative, and WisDOT to discuss modification to near west side Jefferson bypass alternative C2, and possible affect on Crawfish River and associated floodplains.

April 14, 2000	Letter from WDNR providing more specific location data for natural areas.
April 26, 2000	WDNR representative attended Jefferson Study Committee Meeting to discuss review role in project and answer questions.
June 12, 2000	Meeting with WDNR, Bureau of Air Management, discussing exemption for air pollution control permit for STH 26, Janesville to Watertown project.
June 19, 2000	Letter from WDNR, Bureau of Air Management, stating exemption for air pollution control permit for STH 26, Janesville to Watertown project.

Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP)

April 27, 1999	Scoping meeting and field review. Areas of concern included minimizing the acquisition or severance of farmland and maintaining access to farmland.
June 25, 1999	Phone call from DATCP inquiring about results of June 1999 public information meetings.
August 26, 1999	Letter from DATCP confirming presence of federally listed threatened species (Eastern Prairie Fringed Orchid) in project area.
December 20, 1999	Meeting with DATCP at affected farm property owner's residence to discuss farm operation and west Watertown bypass corridor location.
January 21, 2000	Phone call from DATCP inquiring about results of January 2000 public information meetings.
May 10, 2000	Meeting with DATCP at affected farm property owner's residence to discuss west Watertown bypass corridor location and estimated acreage requirements.

Wisconsin Department of Transportation, Bureau of Aeronautics

April 7, 1999	Letter from WisDOT, Bureau of Aeronautics, commenting on airports in study area.
June 13, 2000	Letter from WisDOT, Bureau of Aeronautics, commenting on airports in study area, and providing Federal Aviation Regulations (FAR) on obstacles near airports.

7.2.1.3 Federal Agencies

US Army Corps of Engineers (COE)

April 27, 1999	Scoping meeting and field review. An area of concern included minimizing impacts to wetlands.
May 25, 1999	Letter from COE indicating that they will serve as a cooperating agency for this project.

December 20, 1999	Letter from COE concurring with Purpose and Need for project (Concurrence Point #1).
December 29, 1999	Meeting with COE to discuss listing of potential wetland impacts in EIS.
January 11, 2000	Representative from COE attended PIM in Milton to answer questions from individuals.
January 19, 2000	Representative from COE attended PIM in Watertown to answer questions from individuals.
June 9, 2000	Letter from COE concurring with alternatives carried forward for Detailed Study (Concurrence Point #2).

US Environmental Protection Agency (EPA)

October 27, 1999	Field review meeting to identify concerns. Environmental features were viewed in each of the three study segments.
December 16, 1999	Letter from EPA commenting on Concurrence Point #1 – Purpose and Need.
February 17, 2000	Project review meeting with EPA. Reviewed comments on Purpose and Need and overall project issues.
May 12, 2000	Letter from EPA concurring with alternatives carried forward for Detailed Study (Concurrence Point #2).

US Department of Interior – Fish and Wildlife Service (USF&W)

May 5, 1999	Phone call from USF&W indicating concerns with project and discussing federally listed threatened species (Eastern Prairie Fringed Orchid) in project area.
May 26, 1999	Letter from USF&W indicating interest and concerns with project.
May 4, 2000	Letter from USF&W concurring with alternatives carried forward for Detailed Study (Concurrence Point #2).

US Department of Interior – National Park Service (NPS)

April 22, 1999	Letter from NPS responding to notice of intent to prepare EIS and indication of Glacial Drumlin Trail and potential Ice Age National Scenic Trail in study limits.
June 28, 1999	Letter from NPS notifying interested individuals of review meeting for future Ice Age Trail crossing of STH 26.
July 19, 1999	Field review meeting for future Ice Age Trail crossing of STH 26.

August 5, 1999	Letter from NPS with meeting notes from July 19, 1999, concerning the future Ice Age Trail crossing STH 26.
November 23, 1999	Phone call from NPS discussing Concurrence Point #1 – Purpose and Need.
November 30, 1999	Letter from NPS concurring with Purpose and Need for project.
February 25, 2000	Phone call from NPS discussing future Ice Age Trail location in Milton along STH 59 and Storrs Lake Road. Confirmed that Alternatives S2 & S3 would have a grade separated (overpass) crossing of Storrs Lake Road.
May 5, 2000	Letter from NPS concurring with alternatives carried forward for Detailed Study (Concurrence Point #2).

USDA Natural Resources Conservation Service (NRCS)

March 10, 2000	Farmland Conversion Impact Rating Forms (AD-1006) received for project.
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7.2.1.4 Other Agencies

Lac du Flambeau Band of Lake Superior Chippewa Indians

April 8, 1999	Letter from Historic Preservation Officer indicating that project is outside of their jurisdiction.
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Menominee Tribe of Indians of Wisconsin

April 27, 1999	Scoping meeting and field review. Areas of concern included minimizing impacts to cultural resources and avoiding all burial sites.
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Ho-Chunk Nation

September 30, 1999	Letter from Ho-Chunk Nation indicating interest in project.
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Forest County Potawatomi Community

April 27, 1999	Scoping meeting and field review. Areas of concern included minimizing impacts to cultural resources and avoiding all burial sites.
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Oneida Tribe of Indians in Wisconsin

No response received to date.

7.2.2 Post-Draft EIS

The Draft EIS was published in July 2000, and several regulatory/resource agencies and units of government provided comments. Agencies expressing an interest or concerns with the project included COE, EPA, WDNR, and Wisconsin DOT Bureau of Aeronautics (see Section 7.3, Draft EIS Comments and Responses). Following is a summary of the agency involvement.

7.2.2.1 Federal Agencies

US Army Corps of Engineers (COE)

December 8, 2000	Response letter to DEIS.
July 7, 2004	e-mail letter with review comments on the STH 26 pre-FEIS.
February 2, 2005	e-mail with review comments on the pre-FEIS.
May 27, 2005	Signed MOA (see Appendix F)

U.S. Department of Interior -- National Park Service (NPS)

February 2, 2004	Phone call from NPS discussing future Ice Age Trail crossing STH 26 along Storr's Lake Road in Milton. Confirmed that Alternative S3 was selected as the Preferred Alternative and that a grade separation for Storrs Lake Road was included. Also confirmed that a sidewalk along one side of Storrs Lake Road (south side) would be included at structure crossing of STH 26.
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US Environmental Protection Agency (EPA)

October 26, 2000	Response letter to DEIS.
February 2, 2004	Letter concurring with selection of Preferred Alternative for South, Central, and North Segments of STH 26 (Concurrence Point #3).
March 26, 2004	Project review meeting with EPA and WDNR. Reviewed maps of Preferred Alternative and changes that have occurred in Preferred Alternative alignment since publication of DEIS.
January 21, 2005	e-mail with review comments on the pre-FEIS.

7.2.2.2 State Agencies

Wisconsin Department of Natural Resources (WDNR)

December 8, 2000	Response letter to DEIS.
July 9, 2001	Response letter to DEIS.
February 4, 2002	Email response to DEIS.
January 15, 2003	Email response to DEIS.
March 3, 2004	Response letter to DEIS.

Wisconsin Department of Transportation, Bureau of Aeronautics

September 26, 2000 Response letter to DEIS.

Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP)

April 8, 2002 Phone call to DATCP updating staff on selection of Preferred Alternative.
June 12, 2002 Phone call to DATCP updating staff on selection of Preferred Alternative.
December 24, 2003 email response to comments on draft Agriculture Impact Statement (AIS)
January 5, 2004 email response to comments on draft AIS
January 16, 2004 Draft AIS coordination
February 18, 2004 Distribution of AIS by DATCP
April 9, 2004 email response to comments on AIS
May 6, 2004 email response to comment on AIS

State Historical Society of Wisconsin (SHSW)

April 2003 Submittal of Phase I & II Archaeology Investigation Report of Preferred Alternative to SHSW
October 15, 2003 Consultation meeting held with Native American tribes on archaeology for Preferred Alternative.
October 30, 2003 Letter comments and concurrence from SHPO on Phase I & II Investigation Report of Preferred Alternative.
November 10, 2003 Letter to SHPO regarding follow-up investigative work at Hinstorff Site.
November 14, 2003 Letter from SHPO concurring that no intact deposits are present at Hinstorff Site east of STH 26.
May 6, 2004 Letter from SHPO with signed copies of DOEs for four NRHP-eligible archaeology sites in Preferred Alternative.
May 27, 2005 Signed MOA (see Appendix F)

7.2.2.3 Native American Consultation Meetings

October 26, 2000 Response letter from Iowa Tribe of Oklahoma stating they have determined that the project will not affect cultural or religious sites affiliated with the Iowa Tribe.
March 13, 2003 A Native-American consultation meeting was held. The Oneida and Menominee tribes, along with FHWA and WisDOT attended. Purpose of meeting was to

review archaeological studies. Oneida Tribe indicated that it no longer had interest in project.

October 15, 2003 A Native-American consultation meeting was held. The Menominee tribe, and Sac and Fox tribes (by telephone conference), along with FHWA, SHPO and WisDOT attended. Purpose of meeting was to review impacted archaeological sites. Tribes have been consulted and agree to mitigation.

7.3 DRAFT EIS COMMENTS AND RESPONSES

Agencies expressing written comments on the Draft EIS include the Wisconsin DOT Bureau of Aeronautics, US Environmental Protection Agency (USEPA), Army Corps of Engineers (COE), and the Wisconsin Department of Natural Resources (WDNR). Following are the responses to each individual agency's comment. Comment letters from the various agencies are at the end of this section.

Agency: **Wisconsin Department of Transportation, Bureau of Aeronautics**
September 26, 2000

<u>Comment</u>	<u>Response</u>
1	The Central Segment Preferred Alternative is Alternative C2(a), which incorporates the C1 alignment near the airport. This includes the location of the new roadway west of the Union Pacific Railroad near the airport. Existing STH 26 would remain east of the railroad for local traffic. No acquisition of airport property is anticipated. See Exhibit 8 for a map of Preferred Alternative C2(a).
2	The North Segment Preferred Alternative is Alternative N1. The location of the STH 26 bypass would be approximately 3,000 feet south of Airpark Road. Proposed improvements between the bypass and Airpark Road include a connection of existing STH 26 to the bypass and improvements to existing STH 26. Since Alternative N2 is not the Preferred Alternative, the airport's expansion capabilities should not be hindered by this project. See Exhibit 8 for a map of Preferred Alternative N1.

Agency: United States Environmental Protection Agency
October 26, 2000

<u>Comment</u>	<u>Response</u>
3	See Section 4.6.5 for measures to minimize wetland impacts and for the wetland mitigation plan.
4	The Preferred Alternative alignment has been shifted approximately 1,700 feet to the east to avoid Otter Creek Springs and associated wetlands (Wetland W-2 and Wetland W-3) (see Exhibit 8). The alignment will cross Otter Creek upstream of the Otter Creek Springs at a location with wetlands of lower quality functional values. See Section 4.6.5.
5	See Section 2.4.1.1 for the reasons for selecting this alternative.
6	See response #3.
7	Alternative C4 is not the Preferred Alternative in the Central Segment.
8	Alternative C3 is not the Preferred Alternative in the Central Segment. See Section 2.4.1.2 for the reasons this alternative was not selected.
9	Alternative C1 is not the Preferred Alternative in the Central Segment. See Section 2.4.1.2 for the reasons this alternative was not selected.
10	Alternative C1 is not the Preferred Alternative in the Central Segment. See Section 2.4.1.2 for the reasons this alternative was not selected.
11	Alternative C2(a) is the Preferred Alternative in the Central Segment.
12	See response #3.
13	The Preferred Alternative N1 will not impact wetlands W-27 and W-28.
14	The Crawfish River crossings associated with Alternatives C2, C2(a), and C2(b) were selected to minimize floodplain wetlands impacts to the extent practicable. In this area, cropland exists on a majority of the floodplain and the floodplain wetlands are restricted to a narrow riparian corridor. See Section 4.2.2.5.
15	See response #3.
16	A paragraph describing the water quality of the Rock River has been added to Section 3.3.1.1 of the FEIS.
17	WisDOT will consider various types of stormwater management measures in the final design phase of the project. Water quality impacts from silt and sedimentation will be minimized through the strict adherence to erosion control measures as required by WisDOT's <i>Specifications for Road and Bridge Construction</i> .
18	See Section 4.6.14 for information on enhancements.

Agency: **Army Corps of Engineers**
 December 8, 2000

<u>Comment</u>	<u>Response</u>
19	An on-site wetland delineation has been conducted for each of the preferred alternatives. See Section 4.2.2.6.
20	The methodology for the determination of historic and archeological sites eligible for the National Register of Historic Places was agreed to by SHPO, WisDOT, and FHWA. See Section 3.3.10 and 3.3.11. The determination of sites eligible for listing in the National Register of Historic Places has been completed for all necessary sites along the Preferred Alternatives.
21	See Sections 4.2.9.2 and 4.2.10.
22	Plan and profiles of bridge designs have not been determined at the EIS stage. The type of bridge support structure will be determined during preliminary design in coordination with US Army Corps of Engineers.
23	See response #3.

Agency: Wisconsin Department of Natural Resources
December 8, 2000

Comment **Response**

24 We obtained data for existing and forecasted traffic volumes from several sources:

- WisDOT 48-hour coverage traffic counts
- WisDOT permanent automatic traffic counting recorders
- Direction from WisDOT Traffic Forecasting Section
- Five origin-destination studies for Janesville, Jefferson, Watertown, and Fond du Lac
- Actual traffic volumes attracted to Fort Atkinson bypass
- Previous traffic projections
- Existing and proposed land use and major traffic generators
- Access available
- Route travel time and ease of travel
- Input from local persons on the project study committees and the public

WisDOT provided the projected average traffic growth rate of 2.2% per year based on historical traffic volumes and expected growth trends.

We obtained existing traffic volumes from WisDOT traffic counts and from special intersection counts by the project team. Volumes from counts performed in 1997 and 1998 were increased by 2.2% per year to obtain the 1999 existing traffic volumes as reported in the DEIS.

We calculated projected traffic volumes based on the above data inputs, the proposed road layout and access for the alternative being considered, and engineering judgment. The number of calculations were few enough that they could be done manually. Time consuming and, in this situation, less accurate traffic forecasting software was not required.

Projected traffic volumes on new bypass roadways included the expected thru traffic volumes plus the local traffic (quadrant moves) that would move from an in-town to out-of-town route, and the future traffic increase using the 2.2% per year growth rate.

Projected traffic volumes on existing roadway alignments included the base 1999 traffic volumes plus the future traffic increase using the 2.2% per year growth rate.

The 2.2% per year growth rate was not compounded to avoid overstating the growth. In other words, the growth multiplier was based on the number of years times the growth rate. For example, for a 20 year period the growth multiplier was $1 + (20 \times 2.2\%)$ or 1.44.

The project traffic volumes are reported as a range in recognition of the probable variance in the growth rate over time.

25 The truck volume on Business 26 through Fort Atkinson is not available under this study. The table represents truck volumes on STH 26.

- 26** The improvements made or programmed beyond 1998 were footnoted in the crash rate tables. At the time of the Draft EIS, crash data was not available beyond 1998 and the reduction of crashes due to future improvements would have been based on speculation. Although crash rates should be reduced with roadway improvements, no crash rate values can be assumed. The proposed improvements to sections of STH 26 were added to the summary on page I-25 so the reader is aware of the proposed improvements. Sentence modified to read “Crash rates are high along several segments of the existing facility.”
- 27** On December 4, 2000, the Town of Jefferson passed a resolution stating “the Town of Jefferson would prefer no bypass on State Highway 26 for the City of Jefferson, Wisconsin. However, the Town Board of the Town of Jefferson realizes that an increase in both population and traffic in our community as a whole requires the planning of a bypass to ensure the safety of our population as a whole...” See Appendix B of Final EIS for a copy of the resolution.
- 28** We are aware that 6(f) requirements would apply to the Glacial Drumlin Trail. The Glacial Drumlin Trail will not be impacted under the Preferred Alternative C2(a). Alternative C2(a) crosses a gap in the trail where it is not designated. Users of the trail are directed to use the local roadway system within this area. A connection to the local roadway system will be maintained under Alternative C2(a).
- 29** This statement has been included in the primary requirements.
- 30** Controlled access along a highway may prevent development from occurring at specific locations where access is not allowed. However, the local units of government are responsible for making decisions on development near and off the highway. The primary goal of access control is to preserve the safety and capacity of the highway. The control of access along a roadway is a significant factor in reducing the number, frequency, and variety of events to which drivers must respond. Where access to a roadway is managed, interchanges, street, and driveway connections are located at points best suited to fit traffic and land-use needs while maintaining constant traffic flow and speeds along the primary roadway. On streets where there is no access management, interference from side streets and driveways can become a major factor in causing abrupt stops, sudden lane changes, variable speeds, and driver indecision. All of these factors reduce the capacity of the roadway and increase the crash potential.
- 31** This EIS is a planning level document, and it treated all agricultural lands as if they were in production. Additional information regarding land set-aside status would likely add little value to the selection process.
- 32** Right of way limits along the existing STH 26 alignment were based on preliminary roadway slope intercepts obtained from computer modeling. Minimum right of way widths were approximately 250 feet in these areas. The approximate minimum width has been added to Section 2.1.3.2.
- 33** HEC-RAS stands for Hydrologic Engineering Center – River Analysis System. The definition has been included in the Final EIS.

- 34** FHWA and WisDOT acknowledge DNR's interest in future expert panels. This policy issue does not directly affect this document, and it will require further discussion.
- 35** Reference to the natural area known as Otter Creek Springs has been added to Section 2.1.5.1.
- 36** Reference to the high geological significance of the drumlin fields has been added to Section 2.1.5.3.
- 37** Table 2.3.3 presents information regarding truck traffic reduction through communities in the corridor. Based on this information, truck traffic that serves local destinations is estimated to be 10-20 percent in the South Segment and 50-60 percent in the Central and North Segments.
- 38** No response necessary.
- 39** WisDOT will restrict access within 1,000-feet of the STH 26 interchanges. The existing STH 26 will transfer to local jurisdiction and access control will be under local guidelines. WisDOT has developed a STH 26 Corridor Planning process to offer direction to the local unit of governments on controlling access near STH 26. The intent of the Corridor Planning process is to provide a forum for local units of government to consider how the decisions they make will affect the highway and the local roads adjacent to the highway.
- 40** At DNR's request, a third alternative for bypassing the City of Milton was studied. See Section 2.2.5 of Final EIS. This alternative was referred to as Alternative S4 and was located approximately 1,500-feet west of Alternative S3. The new alignment passed through the Oak Ridge and Bonny Meade Links Golf Course. Alternative S4 was studied and presented at a public information meeting on June 27, 2001. The majority of individuals were opposed to this alternative. In a letter dated July 9, 2001, DNR indicated that Alternative S4 was no longer favored over Alternative S3. See Appendix B of Final EIS. Due to associated impacts and lack of support, Alternative S4 was dropped from further consideration.
- 41** Alternatives C2(a) and C2(b) have been added to the map of Central Segment Alternatives in Figure 2.3.2.2. A separate text description of the two alternatives has also been added in Sections 2.3.2.2.3 and 2.3.2.2.4.
- 42** A row has not been added to Table 2.3.3 for environmentally sensitive issues. The complexities of environmentally sensitive issues are difficult to represent accurately in a table format. These issues are fully addressed in the text of Sections 3.3 and 4.2.
- 43** Alternative C2(b) was dropped from further consideration for reasons other than archaeological concerns, such as wetland impacts and farmland severances. After the selection of Alternative C2(a) as the preferred Central Segment alternative, archaeological investigations were performed in accordance with Section 106 requirements. No NRHP-eligible sites will be impacted by this alternative. See Section 4.2.9.2 of the Final EIS.
- 44** The reference to designated natural areas has been changed to natural plant community areas throughout the Final EIS.

- 45** References have been removed from Section II regarding potential habitat for threatened, endangered, and special concern species. These concerns are addressed in Sections 4.2.5 and 4.2.6.
- 46** See response #34.
- 47** A statement has been added noting the significance of the drumlin formations. See Section 3.1.1.
- 48** A sentence has been added noting that none of the three counties are within a regional planning organization. See Section 3.1.2.
- 49** WisDOT acknowledges Jefferson County's long-range transit planning efforts, and WisDOT will consider any proposals by the local units of government.
- 50** WisDOT has undertaken a corridor planning study for STH 26 that includes consideration of pedestrian and bicycle mobility needs. The construction of pedestrian/bike paths along the corridor will be considered where feasible. Existing paths along the corridor such as the Glacial River Recreation Trail and Glacial Drumlin Trail will be maintained.
- 51** The 2003 four-lane improvements on the south side of Watertown will address local short-term needs for STH 26. However, capacity expansion north of Milwaukee Street is restricted by the Historic District and limited right of way width. The necessary capacity improvements for future traffic would result in historic impacts and a high number of relocations. The 2003 improvements do not address the purpose and need of the project as a regional transportation route. See Section 3.1.2.3.
- 52** A sentence has been added in Section 3.19.1 to include the populations of the municipalities connected by STH 26 from Janesville to Watertown.
- 53** No major improvements are scheduled on STH 26 north of STH 60-East in the WisDOT six-year program 2002-2007. The traffic volumes north of STH 60-East drop off substantially and are not predicted to dramatically increase in the near future. Future maintenance projects such as resurfacing are anticipated.
- 54** There would be no effect, as the state designation allows for longer trucks than the federal designation.
- 55** The proposed high-speed passenger rail line between Madison and Milwaukee is currently on hold due to funding limitations. Approximately 50 to 100 passengers per day are projected to board at the Watertown stop. This volume would have little impact to the traffic volumes in the area. The scope of the STH 26 project would remain the same with or without the high-speed passenger rail line.
- 56** Figure 3.1.9.3 has been updated to correct the error for the Union Pacific Railroad from Janesville.
- 57** See response #50.

- 58** The study area for the project included jurisdictions that have the potential to be either directly or indirectly affected by the project. Population-growth data was presented to show the regional populations that STH 26 serves. This includes cities, villages, and towns on STH 26 and near STH 26.
- 59** Sentence has been added to identify the Otter Creek Springs. See Section 3.3.1.1.
- 60** According to Surface Water Resources of Dodge County (1965), Clyman Creek receives the treated effluent from a large cannery located in Clyman, which has resulted in the creek having high fertility. Text has been added in Section 3.3.1.1 to read “Discharge of treated effluent from a local cannery to Clyman Creek, a tributary to the Rock River, contributes to periods of degraded water quality”.
- 61** As stated in the DEIS (Section 3.3.2.2), a subjective functional value assessment was completed in accordance with the WDNR “Rapid Assessment Methodology for Evaluating Wetland Functional Values” of the wetlands within the project area. WDNR staff have been involved in joint field investigations for evaluating wetland mitigation measures for the Preferred Alternative. Coordination with WDNR is continuous and ongoing.
- 62** An additional bullet was added to Section 3.3.2.2.
- 63** Refer to Section 3.3. Changed sentence to state “Future development that could occur within the 100-year floodplain is regulated by local city or town ordinances.”
- 64** Sentence has been changed as requested. See Section 3.3.6.
- 65** Sentence has been changed as requested. See Section 3.3.7.
- 66, 67** Name of Table 3.3.7 has been changed and the text has been revised to reflect that the habitat and populations of some species listed may not exist today.
- 68** The reference to “designated natural areas” has been changed to “natural plant communities.” The names have also been changed to reflect this. See Section 3.3.8.
- 69** The list of natural areas has been revised to focus on those areas of concern. The “Storr’s Lake Emergent Aquatic Community” was added under the South Segment. See Section 3.3.8.
- 70** See response #43
- 71** See response #34.
- 72** Because of the various interest groups on the panel, some individuals preferred to comment only on issues familiar to them or on issues in their geographical area. This resulted in some varying viewpoints. The statement has been reworded to reflect this. See Section 4.1.
- 73** A map of the project study area with the townships shown has been provided. See Figure 3.1.1-1.

- 74** A through town rail corridor freeway alternative in the City of Watertown was studied and presented at study committee meetings and displayed at a public information meeting on January 23, 2001. Although this alternative does have a few advantages over the bypass alternatives, it fails to meet the purpose and need of the project on a number of issues. Some of these issues are lower operating speeds, increased travel time and costs, high truck volumes through the city, residential and business relocations, disruption of community circulation and emergency service routes, and minimal local support. Therefore, this alternative was dropped from further consideration. See Section 2.2.5.
- 75** FHWA acknowledges DNR's support for alternative modes of transportation.
- 76** See response #34.
- 77** Traffic removed from the existing routes and using the bypass will be mostly through traffic and some local traffic movements on the peripheral city boundaries. This will include a large truck volume since most of the truck volume on STH 26 is through traffic. Some of the existing truck volume will remain on the existing route to serve local businesses. Traffic levels returning to or surpassing current levels is primarily the result of community growth within this time period. As communities continue to grow, local traffic levels will increase on local arterial streets. After a bypass is provided around a community, the existing route becomes a local arterial used primarily by local traffic. Bypassable and commuting traffic will continue to use the bypass.
- 78** As stated in the third to last paragraph of Section 4.1.5, there may be some business loss to individual businesses due to competition from new businesses located at superior locations. However, this competition is likely to occur with or without a bypass.
- 79** A copy of the report "The Economic Impacts of Highway Bypasses on Communities" has been forwarded to WDNR.
- 80** A copy of the reports entitled "Pollutant Loadings and Impacts from Highway Stormwater Runoff, Vol. 1" and "Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters" have been forwarded to WDNR.
- 81** The data regarding this program is not readily available. For this reason, this text has been removed from the document.
- 82** The Preferred Alternative in the South Segment has been shifted to the east at the Otter Creek crossing as requested. This reduces impacts to Otter Creek and associated springs and wetlands. See Section 2.4 for a description and Exhibit 8 of the Preferred Alternative in the South Segment.
- 83** All unavoidable wetland impacts from this project will be mitigated in accordance with the WisDOT/WDNR cooperative agreement. A conceptual wetland mitigation plan has been submitted to WDNR.
- The East and West Branches of the Rock River join in the Horicon Marsh forming the Rock River, which flows south from the Horicon Marsh. The project area is located downstream of the Horicon Marsh and the junction of the East and West Branches of the Rock River. No text change.

- 84** See response #61.
- 85** A conceptual wetland mitigation plan has been developed. See section 4.6.5.3.
- 86** Indirect impacts in this section are defined as changes in water level elevation within wetlands adjacent to the project corridor, as a result of flow constriction. The impacts are expected to be negligible because the design will likely meet NR 116 requirements. The impacts are as likely to be beneficial as adverse because, the wetlands are located along the bank of the Crawfish River. A negligible increase of water elevation for a short duration could enhance the functional values of these wetlands by improving wildlife and fishery habitat in these wetlands. Indirect impacts due to sedimentation and soil erosion were not considered, since implementation of standard WisDOT erosion control measures implemented during construction limit these occurrences to the extent practicable. Section 4.2.2.5 has been changed to reflect this.
- 87** Additional hydrologic analysis will be completed to assess increases to the 100-year flood elevation on non-WisDOT property during the final roadway design. Based on these studies attempts will be made to minimize flood elevation impacts or legal arrangements will be made with affected property owners.
- 88** A footnote has been added to Table 4.2.3.3 defining NVGD.
- 89** Bisecting woodlands along the Preferred Alternative will be avoided if possible.
- 90** FHWA and WisDOT will consider acquiring development rights or protective easements at the Crawfish River floodplain, Otter Creek, Jefferson Railroad Prairie, and other higher quality wetlands such as W-3.
- 91** The title of Table 4.2.6 has been changed to include “for which Recent or Historical Records Exist.”
- 92** Changed “designated natural areas” to “natural plant communities.” See Section 4.2.7.
- 93** This section has been updated based on the new alignment for Preferred Alternative S3. The Otter Creek Springs has been avoided. See Section 4.2.7.1.
- 94** The reference to crossing the natural plant community along the Rock River has been added to Section 4.2.7.2.
- 95** The Jefferson Railroad Prairie is avoided with the Preferred Central Segment Alternative C2(a).
- 96** The text is correct as presented in the document.
- 97** As stated in Section 4.2.8.2, there is a 4-mile gap in the trail. The Preferred Alternative crosses within this gap.
- 98** See Section 4.6.10.

- 99** As stated in Section 4.2.12.2, none of the counties in the study area are designated as ozone non-attainment areas, and therefore, the conformity procedures of 23 CFR 770 do not apply.
- 100** The Preferred Alternative will not have any adverse noise impacts to the Storr's Lake Wildlife Area.
- 101** Words were added to the fourth paragraph of Section 4.2.14.2 to include the potential adverse visual impact to the Storr's Lake Wildlife Area. Refer to Section 4.6.14 regarding the use of native plants.
- 102** See response #83.
- 103** It is not known at this time if high-volume industrial waste will be used on this project. Typically, the use of this material is dependent upon the pavement structure and typical section design for the project. This will be determined during preliminary design.
- 104** The interchange north of Watertown for Alternative N1 has been revised to use more of the existing STH 26 corridor south of the interchange. North of the interchange, the existing corridor was not used in order to avoid impacts to businesses, homes, and a historic site along existing STH 26. See Exhibit 8 for a map of Preferred Alternative N1.
- 105** The sentence has been removed from Section 4.3.2.6 and Table 4.3.2.
- 106** See Section 4.6.5.3.
- 107** See Section 4.6.14.

Agency: Wisconsin Department of Natural Resources
July 9, 2001

<u>Comment</u>	<u>Response</u>
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108	Due to the associated impacts and a lack of local support, the golf course alternative has been dropped from further consideration. See Section 2.2.5.
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109	Alternative S3 is the preferred alternative in the South Segment (see Exhibit 8). See response #100 regarding noise impacts. See Section 4.6.4 regarding storm water runoff concerns. WisDOT is considering purchasing the entire Reserve Subdivision. It is in the best interest of FHWA and WisDOT to protect and preserve the quality of this recreational and wildlife area. Design features such as depressing the roadway will be considered during preliminary design.
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Agency: Wisconsin Department of Natural Resources
February 4, 2002

Comment **Response**

- 110** FHWA and WisDOT concur with WDNR on the associated impacts for Alternative N2-Modified east of Watertown. This alternative has been dropped from further consideration. The Preferred Alternative in the North Segment is Alternative N1.
- 111** The 2003 four-lane improvements on the south side of Watertown will address local short-term needs for STH 26. However, capacity expansion north of Milwaukee Street is restricted by the Historic District and limited right of way width. The necessary capacity improvements for future traffic would result in historic impacts and a high number of relocations. The proposed 2003 improvements do not address the purpose and need of the project as a regional transportation route.
- The proposed high-speed passenger rail line between Madison and Milwaukee is currently on hold due to funding limitations. Approximately 50 to 100 passengers per day are projected to board at the Watertown stop. This volume would have little impact to the traffic volumes in the area. The scope of the STH 26 project would remain the same with or without the high-speed passenger rail line.
- 112** The Preferred Alternative in the North Segment is Alternative N1.

Agency: United States Environmental Protection Agency
February 2, 2004

<u>Comment</u>	<u>Response</u>
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113	Text has been added to section 4.6.4 indicating that WisDOT is committed to complying with the EPA recommendations.
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Agency: Wisconsin Department of Natural Resources
March 3, 2004 (January 15, 2003 memo attached)

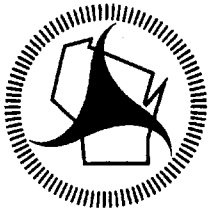
<u>Comment</u>	<u>Response</u>
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114	Section 4.6.5.3 has been revised to reflect WDNR's priorities for potential wetland mitigation sites.
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Agency: **Army Corps of Engineers**
 June 21, 2004

Comment **Response**

- | | |
|------------|--|
| 115 | Text has been added to Section 4.6.4 indicating that WisDOT is committed to providing a buffer for the Storr's Lake Wildlife Area. |
| 116 | Tables 2.3.3 and 4.2.2.4 list wetland impacts as determined for each detailed study alternative at the time of the DEIS. Impacts were based on WDNR Wetland Inventory mapping. Tables 2.4 and 4.2.2.6 list wetland impacts identified for the Preferred Alternative including the modifications or adjustments made to the alignment since the time of the DEIS. Wetland impacts for the Preferred Alternative are based on field delineated wetlands. |
| 117 | Further coordination with the US COE regarding permit application and wetland impact avoidance and minimization efforts will take place during the final design phase of this project when more complete information and mapping is available. |



Wisconsin Department of Transportation

September 26, 2000

Mr. James Oeth, P.E.
Earth Tech
1210 Fourier Dr., Suite 100
Madison, WI 53717

Division of Transportation Infrastructure
Development
Bureau of Aeronautics
4802 Sheboygan Ave., Rm. 701
P O Box 7914
Madison, WI 53707-7914

Telephone: 608-266-3351
Teletypewriter (TTY): 608-266-3351
FAX: 608-267-6748
Web Page: www.dot.state.wi.us/dtid/boa

STH 26 Corridor Study

**COMMENT
NUMBER**

Dear Mr. Oeth,

Thank you for the opportunity to review the possible impacts of the proposed STH 26 improvements on nearby airports. It appears the South Segment alternatives aren't close to any airports, therefore none of the alternatives have any significant impacts to any airports. **Therefore any south segment alternative chosen is acceptable.**

All of the Central Segment alternatives that have been carried forward for a further detailed study could have potential conflicts with the Fort Atkinson Municipal Airport. All the Alternatives that use the corridor on the east side of the Union Pacific Railroad appear to encroach on airport property. Any road construction close to the airport would have to be studied further to determine if it would become an obstruction to the airspace around the airport. Any acquisition of airport property would require a land release from FAA. We recommend that all construction take place on the other side of the Railroad corridor. Therefore out of those four alternatives, **C1 would have the least potential for conflict** with the airport and would be our preferred alternative.

Of the two alternatives carried forward for the North Segment, **Alternative N1 is preferred**. We do not see any potential conflicts with the Watertown Municipal Airport with Alternative N1 provided all improvements end 1,000' south of Airport Road. If improvements are to occur within 1,000' of the STH 26 and Airport Rd. intersection, we would want to look closer at the details of the improvement to verify that nothing becomes an obstruction to the approach surface of Runway 5. Alternative N2 would further restrict the airport's expansion capabilities to accommodate corporate jets. The only potential the airport has of extending any runway is to the southeast. Boxing in the airport would greatly hinder the future utilization of the airport. Therefore we would suggest further coordination with the City of Watertown concerning Alternate N2 due to its potentially large impact on a possible future Runway 11/29 extension.

We ask that you keep us informed of the status of this project so we can assist you in any further coordination that may need to take place with our office and FAA. If you have any questions, please contact me at (608) 261-6278.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wendy A. Jensen".

Wendy A. Jensen, P.E.
Airport Development Engineer



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

C.3.2.1 ←
4.2.1

OCT 26 2000

REPLY TO THE ATTENTION OF

B-19J

Mr. Richard Madrzak
Federal Highway Administration
Highpoint Office Park
567 D'Onofrio Drive
Madison, Wisconsin 53719-2814

Re: Comments on the Draft Environmental Impact Statement (DEIS) for State Trunk Highway (STH)-26 Improvements, I-90 at Janesville to STH-60-East north of Watertown Road in Rock, Jefferson & Dodge Counties in Wisconsin, EIS No. 000290

Dear Mr. Madrzak:

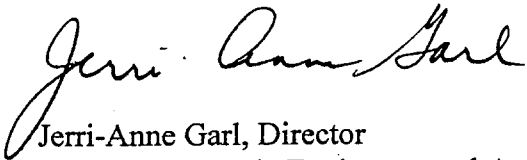
In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the United States Environmental Protection Agency (U.S. EPA) Region 5 has reviewed the DEIS for State Trunk Highway (STH) 26 Improvements, I-90 at Janesville to STH-60-East north of Watertown Road in Rock, Jefferson & Dodge Counties in Wisconsin. The STH-26 route currently has high traffic volumes including high truck volumes, a high number of access points, and a number of segments with higher than average crash rates. Traffic volumes are increasing and by the year 2028, the volumes of traffic will be two to three times higher than the recommended thresholds for two-lane facilities. The level of service will decrease unless something is done. The purpose of the STH-26 Improvements is to address these problems.

A range of alternatives was developed to address the project purpose. A screening process was used to eliminate alternatives that were not practicable. The remaining alternatives were studied in detail in the DEIS. The proposed alternatives all consist of upgrading the existing 2-lane roadway to a 4-lane divided rural highway with access management. The existing STH-26 roadway is utilized wherever possible except for bypasses of Milton, Jefferson, and Watertown. The study area was divided into three segments: the south segment (Janesville to Fort Atkinson), the central segment (Ft. Atkinson to Johnson Creek), and the north segment (Johnson Creek to Watertown). The U.S. EPA has been working with the Federal Highway Administration (FHWA) and the Wisconsin Department of Transportation (WisDOT) on providing input to the Purpose and Need for the project and on the alternatives analysis. We have previously provided our concurrence with the first two concurrence points of the NEPA/404 merger process for this project.

Based on our review of the information provided in the DEIS for this project, we have rated the present DEIS as EO-2. The "EO" means that we have environmental objections with the proposed action, and the "2" means that additional information needs to be provided in the Final Environmental Impact Statement (FEIS) to alleviate these environmental objections. The U.S. EPA Region 5 has identified issues in the area of wetland impacts, wetland mitigation and water quality. Our detailed comments are enclosed in this letter. Our environmental objections will be removed and concurrence given on the preferred alternative when the following three actions occur: (1) an alternative other than the C4 alternative is selected for the Central Segment, (2) all practicable measures are taken to avoid and minimize wetland impacts associated with the selected alternative are committed to by WisDOT and FHWA, and (3) a comprehensive wetland compensation plan is developed and committed to by WisDOT and FHWA.

Thank you for the opportunity to comment on the DEIS for this project. We are willing to meet and discuss our concerns with you. If you have any questions, please contact Sherry Kamke at (312) 353-5794 or via email at kamke.sherry@epa.gov.

Sincerely yours,



Jerri-Anne Garl, Director
Office of Strategic Environmental Analysis

cc: Carol Cutshall, WisDOT - Bureau of Environment

Enclosure

Comments on the Draft Environmental Impact Statement (DEIS) for State Trunk Highway
(STH) 26 Improvements, in Rock, Jefferson & Dodge Counties in Wisconsin
October 26, 2000

COMMENT
NUMBER

Wetland impacts

U.S. EPA Region 5 supports the alternatives that minimize wetland and stream crossing impacts while appropriately balancing other resource considerations. Other areas of particular interest to U.S. EPA Region 5 include floodplain resources and natural areas such as remnant prairies. In order for NEPA and Section 404 (b)(1) guidelines to be fully addressed, every attempt should be made to implement an alternative that effectively meets the purpose and need for the project while avoiding and minimizing impacts to wetland resources. Overall, a good attempt has been made thus far to avoid or minimize impacts to wetland resources. However, as the project develops and a preferred alternative is selected, we expect to see additional measures taken to reduce these impacts. Since the DEIS does not select a preferred alternative, we have provided a rating for each of the alternatives. This rating is based primarily on impacts to wetlands but the ratings also consider the impact to floodplains and other resources. The ratings are in the sections that follow:

South Segment

We have rated the S2 and S3 alternatives for this segment as having Environmental Concerns (EC). This is because both alternatives have environmental impacts that should be avoided in order to fully protect the environment. We expect that corrective measures including mitigation measures such as reduction in side slopes or medians will be implemented if possible to avoid wetland impacts. Additionally, we anticipate a compensatory mitigation package will be developed to replace function and values of wetlands that could not be avoided.

3

Both alternatives directly impact about 6-7 acres of wetland. They both impact the same wetlands except Alternative S3 which impacts 1.0 acre more of low functional value wetlands. We are concerned about the impacts to wetlands associated with the Otter Creek Springs (Wetland W-2) and the wetland (W-3) because of the high functional values associated with these wetlands. We would like to see these functions and values compensated for within the Otter Creek watershed as close to the impacted area as possible.

4

It doesn't appear that either alternative has a great likelihood to cumulatively impact wetlands by inducing development in the area. However, the proximity of the S3 alternative to the Storr's Lake Wildlife Area and other wetlands on the east of Milton makes this alternative more likely to indirectly impact these wetlands. Until other information is brought to our attention, we consider S2 to be the environmentally preferred alternative for this segment.

5

Central Segment

We have rated the C1, C2, C2(a), C2(b) and C3 alternatives for this segment as having Environmental Concerns (EC). This is because these alternatives have environmental impacts that should be avoided in order to fully protect the environment. We expect that corrective

measures including mitigation measures such as reduction in side slopes or medians will be implemented if possible to avoid wetland impacts. Additionally, we anticipate a compensatory mitigation package will be developed to replace function and values of wetlands that could not be avoided.

| 6

The Central Segment alternative C4, the far east bypass alternative around Jefferson, impacts by far the greatest number of wetland acres (40 acres), a large proportion of which would be medium-high functioning floodplain forest. This type of wetland is very hard to compensate for and every effort should be made to avoid their loss. Because of our concern with this resource and due to the overall number of acres of wetlands impacted, selection of this alternative would be inconsistent with the requirements of Section 404 of the Clean Water Act unless a demonstration can be made that clearly shows that there is no other practicable alternative that meets the purpose and need for the project. In the absence of such a demonstration, we will object to issuance of the Section 404 permit that would be necessary for implementation of that alternative. Due to the issues that we have raised dealing with wetland impacts, we rated the alternative an EO which means that EPA has Environmental Objections with this alternative. We believe that there are other less damaging alternatives evaluated in the DEIS that meet the purpose and need.

| 7

Another eastern bypass alternative, C3 impacts 31 acres of low-medium function wetlands, two acres of which is forested wetland. We believe this alternative has some potential because the alternative impacts the least amount of forested wetland types therefore it may be easier to successfully recreate compensatory wetlands that function like the wetlands that would be filled due to project implementation. This alternative is also the only alternative (other than C4 which we believe is unacceptable) that has the benefit of crossing only one stream versus the two stream crossings that the other alternatives have.

| 8

The western bypass alternatives all impact about 15-24 acres, eight acres of which is forested. All forested wetland impacts would be located at the Rock River crossing portion of the project. The four western alternatives vary in how they propose to cross the Crawfish River. The different alternatives vary most significantly in the amount of total wetland impact, floodplain impact, and residential displacement that would occur. Alternative C1 has a low impact on the floodplain but because it impacts more wetlands than the other western bypass alternatives, it is not the environmentally preferred. All of the remaining western bypass alternatives are variations of the C2 alternative. Alternative C2 has 20 acres of wetland impact, 5 residential displacements and a high floodplain impact. Since C2(a) has the same residential and floodplain impact with lesser wetland impact, Alternative C2 is not preferred. The remaining alternatives C2(a) and C2(b) have 16 acres and 19 acres of wetland impact respectively. Alternative C2(a) has a higher floodplain impact while Alternative C2(b) has a higher number of residential displacements as well as higher wetland impact.

| 9

| 10

U.S. EPA Region 5 believes that C2(a) is the environmental preferred alternative provided that the higher level of floodplain impact can be offset. Based on our evaluation discussed above, we

| 11

believe that C2(a) and C2(b) are the best western bypass alternatives and that C3 is the only environmental acceptable eastern bypass alternatives for this segment.

North Segment

We have rated the N2 and N3 alternatives for this segment as having Environmental Concerns (EC). This is because both alternatives have environmental impacts that should be avoided in order to fully protect the environment. Much like the other segments of this project, we expect to see design options such as reduction in side slopes or medians to be considered and implemented if possible to avoid wetland impacts. We also anticipate a compensatory mitigation package will be developed to replace function and values of wetlands that could not be avoided. As with the other segments, we expect this compensatory mitigation plan to be included in the FEIS.

12

Both alternatives directly impact about 21-22 acres of wetland and about the same amount of floodplain forest (2-3 acres). We are concerned about the impacts to wetlands (W-27 & W-28) because of the high functional values associated with the wetland. We would like to see these functions and values compensated for within the watershed as close to the impacted area as possible.

13

Indirect Impacts to Wetlands

We cannot agree with the statement made on page IV-49 of the DEIS that states "Potential indirect impacts to wetlands are not anticipated to be significant . . . The overall indirect impacts to wetlands are expected to be negligible under the build alternatives, and are as likely to be beneficial as adverse." Although there is some discussion about water depths and velocities as well as flood plain impacts, we believe this statement is drawing a conclusion that is not fully supported and/or explained in the document.

14

Wetland Mitigation

U.S. EPA Region 5 is concerned with the significant loss of wetlands associated with this project especially the loss of floodplain forest and other forested wetlands. The DEIS does not provide a sufficient level of detail regarding compensatory wetland mitigation. The DEIS is an appropriate time to describe conceptual compensatory mitigation options and to state a commitment to implementing compensatory strategies. The DEIS does not go far enough in these two areas. Although the DEIS does state WisDOT's and FHWA's intent of working with Wisconsin Department of Natural Resources (DNR) in developing a compensatory strategy, it doesn't clearly state how or when this will be done. Wisconsin DNR has already commented that they do not believe a wetland mitigation bank is appropriate for this project because of the need to replace functions and values in the impacted watersheds. We concur with Wisconsin DNR's position.

15

Wetlands, particularly forested wetlands, are difficult to construct or restore successfully. Full replacement of the functions and values that are lost must be accomplished through the

compensatory wetland mitigation plan. To help insure the replacement of functions and values that were lost, we expect that forested wetlands will be compensated at least at a ratio of 2:1 and that otherwise a ratio of at least 1.5:1 will be used. We recommend a 100-foot to 150-foot vegetated buffer be provided around each wetland mitigation site. The buffer will enhance wildlife habitat and protect the site from sediment buildup that could result from land use practices immediately outside the buffer area. Wetland restoration is preferred to wetland creation or enhancement because it has a higher rate of success.

Mitigation requirements under Title 40 of the Code of Federal Regulations (CFR) Section 230 address the replacement of the wetland functions and values that are unavoidably lost. Wetland mitigation design should be based on the replacement of wetland functions and values that would be lost due to project implementation. If certain mitigation details cannot be provided at the time the FEIS is written, the FEIS should contain statements of commitment to develop and to implement those portions of the mitigation work/plan that are not included. Any final mitigation plan should include, but not be limited to the following:

- a commitment to acquire and start work at the compensatory mitigation site/s prior to project construction;
- a detailed schedule of events in relation to roadway construction work and wetland creation/restoration work;
- detailed construction plans;
- a detailed mitigation monitoring plan, including a time table;
- detailed performance criteria to measure success;
- detailed specifications and commitments for corrective measures to be taken if performance criteria are not met; and,
- a commitment to the establishment of a protection and management plan in perpetuity (i.e., legal surveys of the specific boundaries with buffers and conservation easements that are given to a land conservancy organization) for all mitigation areas.

Water Quality

The DEIS did not include information on the water quality of Rock River. The Rock River runs along a large portion of the 48-mile segment of STH-26 that this project will be addressing and crosses it and other streams several times. Wisconsin DNR has designated the Rock River as "impaired" for Habitat, Nutrients (Phosphorus) and Sedimentation. We believe the Rock River's status is important information that should be considered during project design all the way through to construction. U.S. EPA believes that this project because of its length and its proximity to a major river in the state of Wisconsin, presents a unique opportunity to mitigate for construction and operation impacts and to consider enhancements. First, all reasonable erosion control measures should be implemented so as not to aggravate the impaired status of the river.

Additionally, we would like to encourage WisDOT and FHWA to take all reasonable efforts to increase stormwater infiltration through the use of grass swales and to consider other innovative stormwater collection and treatment methods.

17

Any activity that would reduce nutrient loads to the Rock River, its tributaries and wetlands would, when added to other similar steps by other parties, have a beneficial cumulative impact on water quality. Downstream dissolved oxygen impacts to Lake Koshkonong and the Rock River all the way to the state line have been significant. Runoff from agricultural activity such as fertilizer application and manure spreading has been identified as major contributors of nutrients in the area as has discharges from municipal wastewater treatment plants. Highway construction and highway runoff are not anticipated to be the most significant contributors of contaminants to the river yet all sources urban and rural have the potential of being cumulatively significant. We identify projects that have as their goal the improvement of habitat, nutrient reduction and alleviation of sedimentation as appropriate enhancement projects given the project area. If you would like to discuss the status of the Rock River in any more detail, please contact Jim Baumann at Wisconsin DNR at (608) 266-9277.

The DEIS states that WisDOT will investigate the potential for landscaping enhancements, including projects that would re-establish native plant communities or to incorporate native flora in roadside seeding. No specific projects of this type have been committed to by WisDOT. We support the use of native flora and native landscaping because native plants, once they are established eliminate or significantly reduce the need for fertilizers, pesticides, water and lawn maintenance equipment. Each of these reductions are important for improving air and water quality. Therefore, we encourage WisDOT and FHWA to implement these measures in this project wherever possible.

18



DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS
ARMY CORPS OF ENGINEERS CENTRE
190 FIFTH STREET EAST
ST. PAUL, MN 55101-1638

December 8, 2000

REPLY TO
ATTENTION OF
Construction-Operations
Regulatory (99-03975-JBK)

Mr. Jim Oeth
Earth Tech
1210 Fourier Drive, Suite 100
Madison, Wisconsin 53717

COMMENT
NUMBER

Dear Mr. Oeth:

This letter is in regard to the Draft Environmental Impact Statement (DEIS) that was sent to our office for the Janesville to Watertown segment of STH 26 that is being considered for realignment and reconstruction. The project corridor is contained within Rock, Jefferson, and Dodge Counties, Wisconsin.

We have completed our review of the DEIS and have the following comments:

1. Wetlands. The DEIS states that wetlands have been identified within each of the project alternatives being considered. However, there is no specific indication that an on-site wetland delineation has been done using the 1987 Wetland Delineation Manual, Technical Report Y-87-1. Once a preferred alternative has been identified for each of the communities affected, a complete onsite wetland delineation will be needed. Although it is common for the Wisconsin Department of Transportation (WDOT) to rely on Wisconsin Department of Natural Resources (WDNR) state wetland maps, and Natural Resource Conservation Service (NRCS) wetland maps for these types of projects, you are reminded that these maps should be considered one of many potential tools used to assist in the identification of wetlands rather than a definitive source of this information. We recommend that an on-site wetland delineation be conducted for each of the preferred alternatives that are carried forward for detailed study.

2. Historical/Archeological Sites. We noted in the DEIS that a complete review of historical and/or archeological sites that might be eligible for listing in the National Register of Historic Places has not occurred to date. We highly recommend that the review of such potential sites be completed prior to the identification of the preferred alternatives that are carried forward for detailed study. Once those site have been identified, that a determination be made with regard to potential impacts as a result of one alternative route versus another, and that this information be included in the Final EIS. Also, that a final report be submitted to our office for review.

19

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3. Bridge Construction. The DEIS does not include general or detailed bridge designs (plan and profile) for each of the Rock and Crawfish river crossings. There is no indication if pile supported structures or fill supported structures, or both would be used for each crossing. Please include this information in the Final EIS.

22

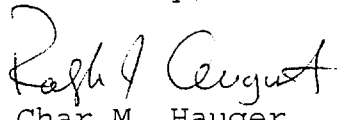
5. Compensatory Wetland Mitigation. Item 4.6.5 (page IV-114) states that "Wetland mitigation measures will be determined in coordination with the WDNR throughout preparation of the Final EIS and subsequent project design." You are reminded that compensatory wetland mitigation is a requirement under both federal and state law. Also, that compensatory wetland mitigation must be done in accordance with the 404(b)(1) guidelines. It is our goal to work closely with the WDNR and WDOT in identifying and approving a suitable compensatory wetland mitigation plan, which may include use of the Jacobson or Princess Point wetland mitigation bank sites. However, we ask that you clearly state in the Final EIS that compensatory mitigation would be done according to the requirements of both federal and state guidelines; to include coordination with the Corps of Engineers.

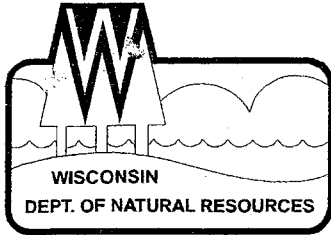
23

We have completed our review of the alternatives you have selected to be carried forward for detail study. Because these alternatives appear to be the least environmentally damaging that are practicable, we concur with your conclusion to study these remaining alternatives for each segment of the project corridor as part of the Final EIS development. You are reminded that until a formal Department of the Army (DA) permit is issued for those project corridors that are selected for permitting, a final alternative analysis determination cannot be given by our agency for each segment of this project. However, as part of the Final EIS review we would be able to provide a clear indication of which alternatives would likely satisfy the 404(b)(1) guidelines; an absolute requirement for issuance of a DA permit.

If you have any questions, please contact James B. Knowles in our Waukesha office at (262) 547-3064. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

for 
Char M. Hauger
Chief, Regulatory Branch



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TDD 608-275-3231

December 8, 2000

Tom Carlsen
Wisconsin Department of Transportation - Dist. 1
2101 Wright Street
Madison, WI 53704-2583

Subject: Project I.D. 1390-04-00, State Trunk Highway 26, Janesville to Watertown,
Rock, Jefferson and Dodge Counties

Dear Mr. Carlson:

My staff has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed STH 26 project from Janesville to Watertown. Please see the attached memo for our complete comments. This cover letter briefly summarizes some key comments.

We offer the general observation that this DEIS addresses today's concerns for car and truck traffic, more than it addresses long-range transportation issues. We believe that today we should be planning for future transportation demands with a greater emphasis on non-highway alternatives. We are very interested in working with WisDOT to plan for an integrated, long-range, multi-modal transportation system. We would like to participate in your long-range transportation planning committee.

We offer our preferred bypass alternative for each of the three main segments. We are submitting a suggested new alternative for the South Segment. For the North Segment we would like to see an evaluation of how traffic volumes may be improved by the proposed four-lane expansion of the existing highway through Watertown, and the proposed high-speed rail line, before a final commitment is made to bypass the city.

We are very interested in exploring options for protection of the Crawfish River floodplain west of Jefferson; we also have asked that both Otter Creek Springs and the Jefferson Railroad Prairie be avoided.

Thank you, Tom, for considering our comments. Please call me if you have any questions.

Sincerely,

Ruthe Badger
Regional Director

C: George Meyer – AD/5
John Glennon – SCR
Russ Anderson – SCR
Cathy Bleser – SCR
Ron Grasshoff – SCR
Dave Siebert – SS/6

DATE: December 6, 2000

TO: Russell Anderson - SCR

FROM: Cathy Bleser and Ron Grasshoff - SCR

SUBJECT: WDNR comments on Draft EIS for STH 26, Janesville to Watertown, ID# 1390-04-00

This memo summarizes the comments of Department staff, including yourself, on the Draft Environmental Impact Statement (EIS) for Wisconsin DOT's proposed State Highway 26 project between Janesville and Watertown. Upon your review if you concur with these comments and recommendations, we ask you to forward this memo as final Department comments to WisDOT for the EIS. If the project proceeds and then develops, there will of course be a number of items with which we will want to continue our involvement and coordination over the coming years.

General Comments

More than ever, we are giving serious consideration to alternatives to highway transportation as we review projects such as this one. As we reviewed this study, we did so with an eye toward long-range transportation planning, Smart Growth land-use planning legislation, and recognition of growing populations and congestion in the southeastern region of our state. As presented, we find this DEIS to read more as a highway corridor study than a transportation corridor study.

We believe that true long-range planning requires that we look beyond ways to increase levels of service on our existing highways. We hope to begin working with DOT now to plan for an integrated, multi-modal transportation system into the coming decades. The proposed high-speed rail through this region in the near future would factor into this planning evaluation.

In presenting the need to improve transportation capacity along this corridor, the argument seems most compelling with regard to projected increases in truck traffic volume. However, we find only brief consideration is given to freight rail. (Our earlier letter of January 24, 2000 requested a detailed analysis of rail service for this corridor.) Page S-5 states that truck freight has more dispersed destinations than rail freight; however we believe that new rail-trailer systems might address this issue. Perhaps a separate rail study is warranted.

Land Use is a critical issue in southeastern Wisconsin. We are unfamiliar with any existing studies on the impacts of four-lane improvements and bypasses on local and regional land use; if you have such information, please direct us to it. We support DOT's intention to implement access limits, and would request involvement in that decision-making process.

These issues pertain to this project, but of course go well beyond it. We encourage WisDOT to incorporate Smart Growth planning legislation, transportation demand management and alternatives to single-occupancy vehicle use into its projects to the maximum extent possible. Pursuing these avenues now, in our opinion, would prepare us for the future. We do wish to participate in WisDOT's long-range transportation planning committee, as described at our November 8 meeting.

Finally, we offer this very broad comment on the format of EIS documents such as this one: As many of us know, traditional highway EIS documents are very lengthy and often very cumbersome to review. As such, we question whether most readers can reasonably be expected to absorb the basic information they need for an adequate review. Much information is repeated throughout the document, adding to its length. We request that WisDOT and the Federal Highway Administration seriously explore ways of streamlining the EIS document. We would be happy to discuss options for improving the format and content of the standard EIS in ways that might result in more concise and readable assessments.

DEIS Document Review

COMMENT NUMBER

Section I: Purpose and Need

- **Table 1.3.2-1: Existing and Forecasted Average Daily Traffic** – We are interested in learning about the basis for these predictions, for our own future knowledge. Please direct us to the appropriate source of this information. | 24
- **Table 1.3.2-2: Average Daily Truck Volumes** – Please add figures for through-Fort Atkinson traffic if you have them. The volume on the new Fort Atkinson bypass is low and we wonder if a number of trucks still go through the city. | 25
- **I-17 to I-20, and I-25:** The general conclusion on I-25 that “Crash rates are high” is misleading based on the data in the preceding tables. In rural segments, the tables show crash rates to be well below the statewide average. Rural crash data for Janesville to Milton (Table 1.3.5-2) is prior to the current four-lane improvement there, and is misleading. The urban Watertown crash rates are high, however the through-town route is planned for four-lane improvement in 2002, which may alleviate these high crash rates. | 26
- **I-21:** The planning history section indicates that the Town of Jefferson opposed highway relocation in the past; it is not clear whether the Town of Jefferson supports this today. | 27

Section II: Alternatives

- **II-2:** The eighth bullet states that a portion of the Glacial Drumlin Trail received LAWCON funding. Please be aware that this would mean that 6(f) requirements then would apply to the entire trail (i.e., that replacement lands be provided for any conversion of trail segment to highway use under the Land and Water Conservation Fund Act (LAWCON)). | 28
- **II-3:** The last bullet on this page, the requirement that any selected alternative must “Avoid or minimize adverse environmental disturbances...” should be moved up on the list and included with the primary requirements. | 29
- **II-4: First Paragraph:** We fully support WisDOT’s goal to minimize the number of at-grade intersections and limit access points. Is there research on the impacts of controlled access in limiting sprawl? We expect that this would be an effective land-use tool. As stated above, we wish to be involved in this selection process. Second, under Methodology: It would be very helpful to have any information available on private lands, including agricultural lands that are currently in federal set-aside or other conservation programs (e.g., CRP, WRP, conservation easements), that would be impacted by the project. Perhaps such information will be readily available in the future. Fourth Paragraph: If land-area impacts | 30
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were calculated based on a *maximum* width of 400 feet in bypass areas, please also include the *minimum* width used.

- **II-4:** Please define "HEC RAS" for the public
- **II-5:** Expert Panel: Paragraph four gives first reference in the document to the expert panel used in the detailed study stage. As we have discussed in our recent meetings and e-mail correspondence, we regret the WisDNR was neither involved in nor consulted by this panel. We have staff with considerable expertise in the area of land use and natural resources, including pertinent knowledge of this local area. As the agency responsible for natural resource protection and management, we request that WisDNR be invited to participate in future expert panels of this nature.
- **II-8:** At this first mention of Otter Creek and Otter Creek Wetlands, add that this area has been identified by DNR as a natural area, albeit an unprotected natural area, known as "Otter Creek Springs."
- **II-11:** This description of the natural features of the study area should emphasize the high geological significance of the drumlin fields and related glacial features found in this region--a concentration of such features found in very few other locations world-wide.
- **II-12, II-13:** This discussion of potential non-highway alternatives is brief; particularly brief is the discussion of passenger and freight rail alternatives. As stated above, we would like to have seen a more thorough treatment of this issue. We request figures on the percentage of truck traffic along this corridor that serves these local communities, versus truck traffic traveling to other major population centers beyond this region (through-traffic).

While we acknowledge the obstacle to increased rail freight presented here—lack of state or federal funding programs to finance the construction of new rail lines—perhaps such public subsidies are needed. It does not seem incongruous to consider rail subsidies when one considers the public financing of highway projects in order to accommodate greater truck volume. Pursuing these avenues would in our opinion constitute true planning for the future.

- **II-28:** Under Alternative 2C (carried forward as C1), the final paragraph states that this alternative would allow the existing STH 26 to become a local road connecting the cities of Jefferson and Ft. Atkinson. What controls would WisDOT implement to manage growth if this option is selected?

South Segment:

- **II-52:** In our meeting of November 8 with representatives of Earth Tech and WisDOT District 1, we presented and discussed a suggested third new alternative for bypassing the City of Milton. We request that WisDOT study the feasibility of an alternative to both S2 and S3 which we will call "S4" and which would occur geographically between S2 and S3. This alternative would impact the golf course, however it would place the bypass further away from Storr's Lake Wildlife Area than S3 while not passing so closely through the City as S2. Based on this meeting, it is our understanding that this third bypass option for Milton will be explored in earnest.

Central Segment:

- **II-55, 56: Jefferson Bypass:** Alternatives C2a and C2b are given very cursory treatment in this document and are not shown at all on the map of Central Segment Alternatives under consideration (Fig. 2.3.2.2). To those who may not read the document closely, these

alternatives could easily be overlooked. Yet we find C2a and C2b to be well-chosen alternatives warranting serious consideration should the bypass project proceed. We recommend that these two alternatives be presented with equal emphasis to the others in the final EIS to clarify that they have full equal standing.

- **Table 2.3.3: Summary of Estimated Impacts for Detailed Study Alternatives:** Under “Environmental Issues,” please add a row in this table for “Environmentally Sensitive Areas.” This category should include and evaluate such resources as natural areas, other natural plant community areas, and rare species habitats. In addition, for C2a and C2b, potential impacts to archaeological sites is “unknown” in this table. Please provide this information; were sufficient archaeological investigations conducted for these two alternatives to rule out possible barriers to their ultimate selection?
- **II-62:** Paragraph six: : We recognize that the status of our natural areas recorded in the Natural Heritage Inventory is a confusing issue. Here and elsewhere in the document reference is given to “designated natural areas.” This term in fact has a legal connotation for those State Natural Areas in Wisconsin that are legally protected or formally designated. The natural areas referenced for this project do not carry this formal designation; they are identified in the Natural Heritage Inventory as examples of higher quality natural plant communities, however are not publicly owned or protected. No State Natural Areas are in the proposed area of impact. Therefore we suggest referring to these areas as “natural plant community areas” to avoid confusion. We offer this recommendation for future projects as well.
- **II-62 to II-68:** At the conclusion of each alternative sub-section in these pages, a statement is given regarding the alternative’s effects on potential habitat for endangered, threatened or special concern species. In most cases, it is concluded that the alternatives would have similar potential to impact endangered resources. On what bases were these conclusions formed? We in fact would expect higher potentials to impact given taxa for some alternatives than others (e.g., more rare herptiles possible with greater wetland impacts; more rare invertebrate impacts possible with prairie impacts or with high-quality stream system impacts). See our comments below regarding endangered resources issues with this project.

Note: Perhaps such comments on potential impacts belong in Sections III and IV rather than here.

Section III. Affected Environment

- **III-1:** Here, and again on page IV-1, the document describes the STH 26 Panel of Experts chosen to determine the study area for identifying indirect impacts of the proposed project. As we understand the document, this panel was chosen to evaluate environmental consequences related to land use and socioeconomic impacts. The panel included local planners, engineers, developers, farming community representatives, and environmental organizations.

As we stated in our opening comments, we were disappointed that no representatives of WI DNR were involved in this process and would request that we please be notified of such processes in the future. It appears that the panel of experts will be a preferred method for evaluating impacts of highway projects, given the reference in this DEIS to the 1999 WisDOT guidance document recommending this approach. We find it appropriate that WI DNR be included in such early and up-front project evaluations.

- **III-2:** Under “Geographical Setting” please add a statement emphasizing the geological significance of the study area: this region, with its concentrated drumlin formations, is renowned throughout the U.S. and the world for its representation of such glacial features. Under “Land Use Planning and Zoning” we suggest noting that none of the three affected counties are within a regional planning organization. | 47
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- **III-11:** Paragraph one: We find it noteworthy that Jefferson County appears to be interested in furthering its mass transit opportunities in its long-range transit planning efforts. We strongly urge the WisDOT to support and even provide necessary resources toward such planning efforts. Such planning does, in our opinion, address long-range needs for the area. In addition, WisDOT could help fill the regional planning role—at least in the transportation arena—which now is absent for lack of a regional planning organization covering these counties. Paragraph three: Jefferson County also recommends in its bike and pedestrian plan construction of bike lanes along highways and a system of multi-use trails separated from roadways. We request that WisDOT include bike lanes or adjacent trails along the proposed highway wherever possible with adequate bicycle accessibility. Paragraph five: When noting the City of Watertown’s recognized need in its master plan for transportation improvements, please discuss here the likely effects of the proposed four-lane through-town improvement to the existing highway. | 49
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- **III-20:** Paragraph three provides criteria for classifying STH 26 as a Principal Arterial, which include certain municipal population levels among cities connected by the route; please present the populations of the cities of Milton, Jefferson, Johnson Creek and Watertown in this discussion. In addition, what is predicted for the remainder of STH 26 north of STH 60-East (the terminus of this project)? | 52
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- **III-22:** (top of page): What are the implications of STH 26 having a federal truck route designation from IH 94 in Johnson Creek to STH 16 in Watertown? | 54
- **III-23:** Under Rail Service, the proposed high-speed passenger rail line to connect Milwaukee, Watertown and Madison is mentioned, with completion to occur by 2003. This high-speed rail project has potential to impact current traffic flow and volume patterns in the STH26 study area. We encourage WisDOT to integrate this proposed rail project with other modes of transportation for commuter traffic. We also request that the impacts of the proposed rail line on existing traffic volume be evaluated, if not now then certainly upon completion and operation of the new passenger line. Modified traffic patterns at that time may warrant an updated need and/or design assessment for STH26 prior to construction. | 55
- **III-24:** The key to railroad lines in Figure 3.1.9.3 this page indicates an error in notation for the Union Pacific line running northwest and southeast from Janesville. | 56
- **III-25:** Under “Trails and Bicycle Routes” we are presented with a description of the many trails in the study area. We again suggest that WisDOT consider accommodating bike trails in its right-of-way acquisition and integrating improved bicycle access into the overall project planning. | 57
- **Tables 3.2.1-1 and 3.2.1-2, Historical and Projected Population Growth:** We suggest presenting this population-growth data for the cities to be served by the proposed bypasses. Some of the townships included in this data are not impacted by the proposed project at all. | 58

Environmental and Related Features: We offer several comments on Section 3.3

- **III-39: Rivers and Streams:** Please add to the Otter Creek paragraph the fact that Otter Creek Springs has been identified as a natural community by the Natural Heritage Inventory. This spring complex is one of the few remaining in the county. | 59
 - **III-40:** What is the source of pollution from Clyman Creek? | 60
 - **Table 3.3.2: Wetlands in the Project Area:** We agree that wetlands within the project area are primarily associated with the Rock River and tributaries along with numerous depression wetlands associated with the glacial features present on the landscape. Agricultural activity has affected the depression wetlands (including seasonally flooded basins) through sedimentation, loss of buffer, and removal or alteration of the vegetation community. Table 3.3.2 in general indicates that wetlands within the project area tend to be of low quality. We believe that there are high quality wetlands within this project area and we suggest that DNR and DOT staff and/or consultants conduct additional field reconnaissance to reassess the functional values of wetlands within the project area. A joint field investigation would also be helpful as we coordinate with you to develop a strategy on dealing with unavoidable impacts and the mitigation (on-site/bank, enhancement, etc.) effort. | 61
 - **III-42:** Please add to the list of wetland functional values the fact that wetlands as a whole support one-third of all the state's endangered and threatened species. | 62
 - **III-43:** Please elaborate on what development is currently occurring within river floodplains in the urban areas around Jefferson and Fort Atkinson. | 63
 - **III-44:** Please add aquatic invertebrates to the list of taxa supported by area streams and wetlands. | 64
 - **III-45 and III-46: Endangered Resources:** We wish to clarify and update this information for the final EIS. Under Section 3.3.7, please change the last sentence to read: "Table 3.3.7 lists endangered, threatened and special concern species identified by WDNR-BER as either occurring or having historically occurred in the vicinity of the project." Future rare species surveys within the project impact-area would be based on presence of suitable potential habitat. **Table 3.3.7:** Please rename this table to reflect this; also, special concern species are not state listed. A suggested name would be "Rare Species on or Near the Project Area for which Recent or Historical Records Exist." (We wish to reflect in the document the fact that many species identified here were observed as long as 50-100 years ago; today their habitat and their populations may be gone. Examples include the queen snake, Blanchard's cricket frog, and Franklin's ground squirrel.) | 65
 - **III-45 to III-48.** Again, please change the wording from "designated natural areas" to "natural plant communities" in paragraph four under "Natural and Conservancy Areas." None of the named natural communities listed in this section are protected State Natural Areas. Rather, they are natural communities identified in the Natural Heritage Inventory as such and given a name. Many of these areas are of high quality and warrant protection, however we wish to clarify that they are neither designated nor dedicated as formal Natural Areas. | 66
- List of Natural Areas: Most of these areas would not be impacted by this project as currently proposed. We would be comfortable paring down this list and focusing on those areas that truly are of concern. Also, "Storr's Lake Emergent Aquatic Community" should be added under the South Segment (occurs in T4N R13E, Sections 25 and 26). The communities of most concern among those listed in the DEIS would be: South Segment: Otter Creek and Otter Creek Springs; with Camp Wakowpa Forest and Koshkonong Marsh in the vicinity but not likely to be impacted. Central Segment: The Rock River in Jefferson | 67
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County, Jefferson Railroad Prairie and Johnson Creek Wayside Woods. North Segment: Rock River in Jefferson County.

- **III-53:** Under "Archaeological Resources:" Given the high densities of archaeological sites in this region, particularly in the Central Segment, please clarify whether and what level of archaeological surveys were conducted for alternatives C2a and C2b. Are we confident we have no unforeseen obstacles with these alternatives?

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IV. Environmental Consequences

- **IV-1:** The document states once again that land-use impacts of proposed STH26 alternatives were evaluated using the Panel of Experts described in Section III and again in this section. We reiterate our disappointment that WI DNR was not involved in this process. This omission strikes us as analogous to WI DNR convening a panel of experts to evaluate transportation issues and not including DOT.
- **IV-2:** The second paragraph states that the panel did not reach consensus on the impacts of each alternative. Please summarize the unresolved issues that emerged from this process.
- **IV-5 to IV-7:** Maps of the local townships are needed in this section on local land use plans to better evaluate the potential impacts of alternatives on the various townships.
- **IV-7:** The Town of Watertown has supported a through-town railroad corridor alternative according to this section. We understand from our November 8 meeting that this alternative is currently under consideration by WisDOT and will expect further notice on its development should it be carried forward.
- **IV-14: Section 4.1.4.1:** This extensive discussion on Average Daily Traffic (ADT) and Level of Service (LOS) predictions raises the question: At what point do we decide we have built all the highways we plan to build, and that it is time to turn to alternative modes of transportation. We encourage the Federal Highway Administration to begin such planning and preparing states to do so. We expect that alternative modes will require very significant lead-time and suggest that we should begin now. South Segment: Again, we would be interested in participating in the planned access management study along with the local units of government. Access management is an important tool for controlling development and furthering the objectives of local land use plans.
- **IV-23:** Four points are given from the WisDOT Study, "*The Economic Impacts of Highway Bypasses on Communities*" as the reasons why medium-to-large communities generally do not suffer economically from bypasses. Please clarify two points: 1) If over the long term, as stated, we see traffic levels along the "old routes" through town return to pre-bypass levels (or even surpass them), then are bypasses solving the problem? Or is the through-town traffic after constructing bypasses mainly from passenger cars, rather than freight truck traffic? We would be interested in your answers to these questions. 2) Does a return to high traffic-flow through town after the bypass necessarily imply there is no adverse impact to existing businesses, especially if and when competing large chain businesses open on the outskirts of town? We request a copy of this study.

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Section 4.2: Environmental and Related Resource Impacts

- **IV-42:** We also request a copy of the referenced documents entitled, "*Pollutant Loadings and Impacts from Highway Stormwater Runoff, Vol. I*" by the Fed. Highway Admin., 1990;

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and "Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters," EPA #840-B-92-002, 1993.

- **IV-43:** Paragraph two states that long-term build-up of chlorides from de-icing salts has not been observed in WisDOT's monitored waterways. We are interested in reviewing the data supporting this conclusion.
- **IV-43: Otter Creek crossing:** Because of the sensitive nature of Otter Creek and associated springs and wetlands, we strongly request that this crossing be relocated. It is likely that this wetland complex was original a calcareous fen but, Otter Creek was channelized for the current Highway 26 and CTH N intersection. Also, several excavated ponds are present within the original wetland complex. However, the spring discharge remains and, we see great potential for improving the quality of this wetland area. We ask that you explore a way to improve the existing Otter Creek Spring area as part of your effort to reconfigure this intersection. We are willing to discuss wetland mitigation credit for improvements at this location.

We will work with WisDOT to select another crossing location to the east of that proposed and outside of these wetlands. This stream has potential to support rare or sensitive invertebrates, fish and herptiles. The wetland complex may support several rare plants. Given the county-wide significance of the spring complex, the area should be avoided.

- **IV-44: Floodplain/shoreland wetland mitigation:** The high and medium floodplain and shoreland wetland impacts to the Crawfish and Rock Rivers for the Central and North Segments should be mitigated. We would be interested in considering ways to protect and enhance the Crawfish River floodplain west of Jefferson. In addition to its floodplain values, the river corridor is a significant environmental, scenic and archaeological corridor. We would urge WisDOT to explore easements and other options to protect the area from further development. Note: please differentiate the branches of the Rock River in this section.
- **IV-45: Wetland Impacts:** For regulatory compliance, strict adherence to sequencing will depend on the quality and functional value of the impacted wetlands. As previously stated, we suggest a joint effort on assessing wetland functional values and wetland impacts. After field evaluation, it may be absolutely necessary to avoid specific wetlands. On-site mitigation may be most appropriate for other areas, and finally mitigation at bank sites is most definitely appropriate for unavoidable losses of lower-quality wetlands.

We've had discussions with District 1 staff about developing a bank site specifically for this project. We still support this effort but as previously stated on-site mitigation may be most appropriate for specific wetlands. Also, we encourage you to explore the potential of enhancing existing wetlands via development of extensive upland buffers. We would be open to discussing the possibility of credit for creation/restoration of upland buffers.

- **IV-49: Indirect Wetland Impacts:** A definition of "indirect" is needed here. (E.g. does this include impacts due to soil erosion, suspended solids, etc.?) Why are overall indirect impacts to wetlands expected to be negligible, and why are these impacts as likely to be beneficial as adverse? Contrary to the last statement on this page, we would be required to mitigate indirect effects to wetlands.

As indicated in the DNR-DOT Cooperative Agreement for Wetland Mitigation, Compensation for wetland loss is based on both primary and secondary (indirect) impacts; the Technical Guideline also provides for the use of professional discretion when setting ratios. We recommend that the mitigation process incorporate additional buffer areas as the project proceeds.

- **IV-51 to IV-58: Floodplain Impacts:** While minimum federal standards limit flood height increases to 1 foot, the Wisconsin standard is more restrictive under NR116. If highway

construction increases the 100-year elevation on any non-DOT property, NR116 states that legal arrangements must be made with affected property owners. This is noted in the document on p. IV-60.

Based on discussions between DNR and project engineers, we understand the hydrologic and hydraulic computations presented here are preliminary and should not be considered final. The bridges, ramps and fill areas yet to be designed will likely require modifications to the analysis. Note: Please define "NVGD ft." in Table 4.2.3.3.

- **IV-60: Upland Habitat:** Fragmentation affects non-wooded habitat areas such as prairies, wetlands, just as it does wooded areas. As noted in the second paragraph, small remnant habitats cannot support the diversity found on large contiguous habitat areas. In addition, please note here that disturbances to edges of habitats can impact them by introducing invasive plants to the remaining area. We support designing the project to avoid bisecting the few remaining woodlands that remain in this region.
- **IV-63:** We ask that earnest consideration be given to acquiring development rights or protective easements as allowable under the 1/4-mile rule for certain environmentally sensitive areas. Our preliminary recommendation would be to include at least the Crawfish River floodplain corridor discussed in this letter, Otter Creek and wetlands, other higher quality wetlands such as "W-3" and the Jefferson Railroad Prairie.
- **IV-65: Threatened and Endangered Species:** As stated above, please clarify in Table 4.2.6 that records may be current or historical. The Franklin's ground squirrel and prairie vole records are quite historical and this species may in fact no longer be extant in the area. The queen snake record is also very old. Nevertheless, we wish to coordinate with WisDOT on future detailed field investigations to verify the presence or absence of these species.

Natural and Conservancy Areas: Please rephrase "designated State Natural Areas" to "natural plant communities" as we outlined above. South Segment: **Otter Creek Springs** should be avoided therefore this section should be changed accordingly. Central Segment: The Rock River itself is identified because it supports a number of rare aquatic species. In addition, we request avoidance of the entire **Jefferson Railroad Prairie**. This tiny remnant of the once extensive prairies in this region should be protected. In addition, we recommend appropriate native prairie plantings (we can assist with this) along this corridor and efforts to secure long-term management agreements to maintain the community. It is becoming overgrown and will eventually disappear without management.

- **IV-67:** Please note that Storr's Lake Wildlife Area is a 4(f) property.
- **IV-69:** As we've stated on page 2 of this letter, if LAWCON funds are used for a trail such as the Glacial Drumlin Trail then the entire trail becomes 6(f).
- **IV-85: Air Quality Impacts:** First, we wish to reiterate the importance of fugitive dust suppression during road construction, particularly near residential homes and businesses. Second, while these counties are not currently designated as ozone non-attainment areas, WI DNR has at least one ozone monitor in each of these counties indicating high peak daily 8-hour ozone values for 1997-1999. Ozone levels in these counties are high, and should be considered as a possible impact with potential control measures proposed.
- **IV-88: Noise:** Noise impacts from proposed alternatives S2 and especially S3 should include Storr's Lake Wildlife Area. Visitors to this area will certainly hear the traffic on the four-lane bypass just to the west of the property.
- **IV-91:** Alternative S3 passes near enough to Storr's Lake Wildlife Area that visitors to this area will experience an adverse visual/aesthetic impact as well. We support and encourage the suggestion of introductions of native plants along the corridor.

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Lowland Mitigation Project: As we've previously stated, we strongly support the suggestion in paragraph six to enhance the Crawfish and Rock River crossings in the Central Segment as a demonstration lowland mitigation project.

- **IV-92:** Will high-volume industrial waste be used on this project?
- **IV-92, North Segment:** The additional "dog-leg" interchange shown for the north end of Watertown for Alternative N1 introduces another "concrete corridor" in close proximity to the existing roadway. Is there a way to avoid this if N1 is selected? We understand this design is based on a 55 mph free-flow traffic pattern. Perhaps this pattern could be adjusted to avoid having two four-lane highways nearly next to each other through this area (following the proposed through-town improvements to existing STH 26).
- **IV-105:** Please delete the last sentence of paragraph three (and bottom of IV-108 in Table 4.3.2), which state that both S2 and S3 would improve access to the Storr's Lake Wildlife Area which could result in increased visitation. The proximity of the bypass will far more likely decrease than increase visitation.
- **IV-114:** Where unavoidable wetland loss must be mitigated, and on-site mitigation is not possible we will seek a new mitigation bank site to use for this project rather than using an existing bank. Please clarify in Section 4.6.5.
- **IV-118:** We suggest enhancement projects including native plantings (such as along Jefferson Railroad Prairie), prairie management, a floodplain lowland mitigation project along the Crawfish River, and to buffer wetlands, surface waters and other natural communities.

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Summary and Preferred Alternatives:

To summarize, our key recommendations are as follows:

We encourage WisDOT to begin planning now for alternatives to increasing levels of service on existing highways. We are reviewing these highway projects with an ever-increasing eye toward transportation planning for the future, which must incorporate multi-modal systems and the state's Smart Growth land-use planning legislation. The DEIS addresses today's concerns for car and truck traffic. How are WisDOT and the Federal Highway Administration involving other agencies at all levels of government in looking at non-highway solutions to future transportation demands?

We ask that the traffic-flow impacts of upcoming projects in the STH26 study area (high-speed rail, four-lane improvement in Watertown) be evaluated before a final commitment is made to the North Segment Bypass.

We support the intention of minimizing access points as a land-use tool and ask to be involved in that process. We also ask that we be involved in future committees convened to evaluate land-use or natural resource impacts of highway projects.

We ask that both Otter Creek Springs and Jefferson Railroad Prairie be avoided. We will work with WisDOT to redesign the STH26 and CTH N overpass and would like to be involved in long-range management plans for the railroad prairie. Impacts to the Rock River should also be avoided.

We believe that at least some of the assigned functional values for wetlands are too low and ask project biologists to coordinate with our field staff on a re-assessment of the rankings.

We would like to see WisDOT explore the idea of a lowland mitigation demonstration project along the Crawfish River floodplain—a significant environmental, scenic and archaeological corridor. We encourage the use of easements to protect this and other environmentally sensitive areas in the project area.

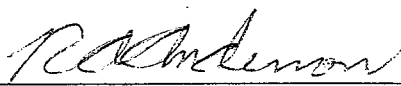
We ask that earnest consideration be given to acquiring development rights or protective easements as allowable under the ¼-mile rule for certain environmentally sensitive areas such as the Crawfish River floodplain, Otter Creek, and the Jefferson Railroad Prairie.

Based upon our evaluation of this document and the natural resources present in the project study area, we offer the following preferred alternatives if this highway project proceeds:

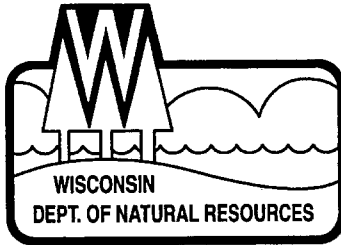
South Segment: Our preference would be for a new proposed alternative we will call “S4” which would be constructed between S2 and S3 through the golf course area in Milton. We are happy to discuss further possibilities for a detailed alignment here. We have strong concerns with the impact of alternative S3 on Storr’s Lake Wildlife Area.

Central Segment: Given the institutional constraints east of Jefferson and possible adverse impacts to St. Coletta’s, and in keeping with the goal of concentrating urban land use and preventing sprawl, we would prefer alternative C2a. However, we wish to seriously explore possibilities for river floodplain protection/mitigation as this alternative does impact a relatively large amount of floodplain. Given the number of significant archaeological sites in this area, perhaps other agencies and organizations would be interested in collaborating to protect the area as an environmental and archaeological corridor.

North Segment: We are interested in evaluating the impacts of the existing STH 26 four-lane improvement and the high-speed rail project through Watertown before a final commitment is made to this segment. In addition, we have not reviewed the through-town railroad corridor alternative advanced locally. However, if the project proceeds as described here, we would prefer alternative N1. This alternative has less significant wetland impacts while the other alternative would pass directly through a large contiguous wetland (W-28) and forested wetland southeast of the city. We request re-examination of the necessity of the proposed additional “dog-leg” interchange north of town.

APPROVED: 
Russell Anderson
Environmental Analysis and Review Supervisor
Wisconsin DNR, South Central Region

DATE: 12/8/00



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
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July 9, 2001

Rose Phetteplace
Wisconsin Department of Transportation - Dist. 1
2101 Wright Street
Madison, WI 53704-2583

**COMMENT
NUMBER**

Subject: Project I.D. 1390-04-00, State Trunk Highway 26, Janesville to Watertown,
Rock, Jefferson and Dodge Counties: Milton Bypass Alternatives

Dear Rose:

In our letter to Tom Carlsen of December 8, 2000 commenting on the Draft Environmental Impact Statement (DEIS) for this proposed project, we suggested that your agency consider a new alternative bypass location for the City of Milton. We asked that a new route through the existing golf course in Milton be considered. Our primary concerns were with Storr's Lake Wildlife Area on the east edge of the City.

Your agency did then pursue the "golf course" alternative, and we thank you for this earnest response and the planning efforts it entailed. Upon our review of this new route and further discussions with your staff, we have determined that this new "golf course" alternative would not in fact be preferable to the S3 alternative near Storr's Lake, provided certain measures are taken for this S3 alternative.

First, the new route followed the east edge of the golf course, and remained close enough to Storr's Lake Wildlife Area that the noise impacts would not be significantly less than the S3 alternative.

Second, the residential development occurring next to Storr's Lake would continue. Such development next to a wildlife area brings with it another set of impacts, in many ways more significant than the impacts of an appropriately constructed highway corridor. Hunting on the property becomes more restricted when homes are built next to it; no discharge of firearms is allowed within 300 feet of a residence (versus 50 feet of a road). Residential development brings pets that impact wildlife on the property (e.g., cats prey on songbirds), and can introduce pesticides and exotic, garden-escaped vegetation to the area. This area is likely nesting habitat for the Blanding's turtle, a state-threatened species known from the area, which if converted to lawns would no longer be suitable.

Given these concerns about the impacts of residential development right up to the Storr's Lake property, and the opportunity that the S3 route provides to avoid or buffer these impacts, we now prefer the S3 route over the golf course route for these two alternatives, with the following conditions:

- A sound-barrier (e.g., a vegetated berm) is constructed between the freeway and Storr's Lake to minimize noise impacts to users of the property while not blocking wildlife movement
- The freeway is constructed as far to the west edge of the proposed alignment as possible

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- DOT pursues acquisition of the land between the freeway and the Storr's Lake property to adequately buffer the wildlife area
- Stormwater runoff into Storr's Lake and Bower's Lake is avoided

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We are very interested in working with your staff to develop the design that best preserves the quality of this property, which is heavily used by both local Milton residents and hunters and anglers of the greater surrounding area.

Once again, thank you for investigating this new alternative. We believe such thorough exploration of alternatives results in the best possible outcome.

Sincerely,

Ruthe Badger
Director, South Central Region

Cc: Russ Anderson – SCR
Doug Fendry – Janesville
Cathy Bleser – SCR
Ron Grasshoff – SCR

Oeth, Jim

From: Gust, Jeffrey [jeffrey.gust@dot.state.wi.us]
Sent: Monday, February 04, 2002 3:58 PM
To: Jim Oeth (E-mail)
Subject: FW: Proposed N2-Modified Watertown Bypass

**COMMENT
NUMBER**

> -----Original Message-----

> From: Bleser, Catherine
> Sent: Monday, February 04, 2002 2:51 PM
> To: Gust, Jeffrey
> Cc: James Merriman; Russell Anderson; Ronald Grasshoff
> Subject: Proposed N2-Modified Watertown Bypass

> Jeff,

> We have reviewed the recently proposed "N2-Modified" alternative for a STH
> 26 Bypass further east of Watertown, in Jefferson and Dodge Counties.
> This alternative was recently proposed and was not presented in the Draft
> Environmental Impact Statement (DEIS) for which we provided comments in
> our letter of December 8, 2000.

> Our comments on this latest alternative are as follows based on our review
> of your materials and field review:

> * Wetlands: This new alternative would directly and indirectly impact
> more wetlands than either of the other two alternatives. In fact, it
> would affect two-times the wetland acreage impacted by the "N2"
> alternative, about which we had already raised concerns because of wetland
> impacts. The relatively large depressional wetlands east of Watertown are
> significant for their hydrologic and habitat functions on this
> predominantly agricultural landscape.

> * Land Use Impacts: This new alternative would be expected to have
> the highest land-use impacts among the three alternatives. It extends
> furthest into the rural countryside, even beyond the urban sewer service
> boundary. It adds another major transportation corridor not very far from
> existing STH 16.

> * Fragmentation: This additional corridor, situated beyond the
> corporate limits and sewer service area, would result in the greatest
> degree of fragmentation of open space and wetland habitat on the area
> landscape.

> * Land Conversions: "N2-Modified" would result in the highest number
> of conversions of land converted to right-of-way, including farmland and
> woodland.

> In sum, we find this new N2-Modified alternative to be the least
> preferable among the alternatives considered to-date in terms of likely
> impacts to the area's natural resources. As we stated in our Dec. 2000
> letter, we would like to see an evaluation of traffic improvements from
> the proposed four-lane expansion on the existing STH 26 highway
> through-town before a final commitment is made. We also asked that if the
> high-speed rail project proceeds through this area, that its impacts to
> local highway traffic be evaluated as well prior to new highway
> construction.

> If the STH 26 Bypass around Watertown does proceed, we maintain our
> preference for the "N1" alternative west of the city.

> Please feel free to call if you have any questions. Thank you for the
> opportunity to review this latest proposal.

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C.8.21

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 02 2004

REPLY TO THE ATTENTION OF:

RECEIVED

B-19J

Mr. Johnny Gerbitz
Federal Highway Administration
Highpoint Office Park
567 D'Onofrio Drive
Madison, Wisconsin 53719-2814

FEB 09 2004

EARTH TECH, INC.
MADISON, WI

COMMENT
NUMBER

Re: Concurrence on Point #3 Selection of Preferred Alternative for State Trunk Highway (STH) 26 Corridor Study - Janesville to Watertown in Rock, Jefferson & Dodge Counties in Wisconsin

Dear Mr. Gerbitz:

The U.S. Environmental Protection Agency (U.S. EPA) has reviewed the December 18, 2003 letter from Earth Tech with attached location study reports outlining the selection of a preferred alternative for STH 26. EPA has previously concurred with the Purpose and Need and Alternatives Carried Forward for this project. Earth Tech's recent letter asked for written concurrence with the third concurrence point. Our comments in this letter are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

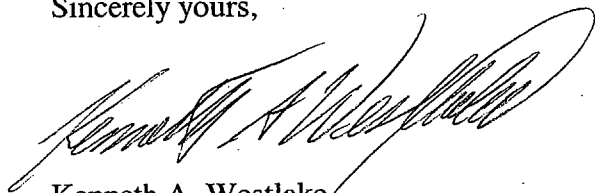
The study area was divided into three segments: the south segment (Janesville to Fort Atkinson), the central segment (Ft. Atkinson to Johnson Creek), and the north segment (Johnson Creek to Watertown). The Draft Environmental Impact Statement (EIS) for this project evaluated the environmental impacts of a range of alternatives for each segment. U.S. EPA's comment letter dated October 26, 2000 commented on the impacts associated with each alternative for the corridor segments. Based on the December 18th information, the Federal Highway Administration (FHWA) and Wisconsin Department of Transportation (WisDOT) have selected a preferred alternative that includes Alternative S3 for the South segment, Alternative C2A for the Central segment and N1 for the North segments. We note the changes made to the S3 segment since the time of the DEIS. Most notably, the S3 segment has been shifted approximately 1,700 feet to the east to avoid the Otter Creek Springs and associated wetlands. In addition, WisDOT has indicated its intent to purchase a residential subdivision in order to maintain a 200-500 foot vegetated buffer between the new roadway and the Storr's Lake Wildlife Area and wetlands. We believe that these changes are consistent with our recommendations in our October 26, 2000 letter. Therefore, we concur with the selection of this preferred alternative. We have read your response to our comments as well. We believe that your responses are responsive to our concerns.

We recommend that WisDOT commit to best management practices for construction throughout the project area. We note that WisDOT often commits to best management practices for implementation during the construction of a highway. We remain concerned that indirect effects, such as highway stormwater runoff, could be a concern, especially in the area near Storr's Lake Wildlife Area. This is particularly true with the alignment shift that places the footprint closer to sensitive waterbodies in the area. In particular, we recommend: 1) use of a two-cell sedimentation basin system designed to filter larger and finer particles; 2) use of native vegetation in the sedimentation system; and 3) other design considerations that would reduce the possibility of roadway contaminants affecting these waterbodies (e.g. depressed roadway or man-made berms). Buffer ownership and maintenance responsibilities are additional items which should be covered in the Final EIS. Maintenance of the buffer is especially important so that exotics (e.g., phragmites) do not spread into Storr's wetlands. These are the operational issues that we have attempted to discuss in our October 26, 2000 letter. See Indirect Impact to Wetlands (page 3 of the October 26, 2000 letter) and Water Quality (page 4-5 of the same letter). We suggest that FHWA and WisDOT discuss approaches that will be considered for stormwater management in a conceptual way in the forthcoming Final EIS.

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Should you have any questions, please do not hesitate to contact Sherry Kamke of my staff at (312) 353-5794 or Kathy Kowal at (312) 353-5206.

Sincerely yours,



Kenneth A. Westlake
Chief, Environmental Planning and Evaluation Branch



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TTY 608-275-3231

March 3, 2004

Mr. Jeff Gust
WISDOT District 1
2101 Wright Street
Madison, WI 53704

**COMMENT
NUMBER**

SUBJECT: Project ID 1390-04-00, STH 26 Corridor Study Conceptual Mitigation Plan
Rock, Jefferson, & Dodge Counties

Dear Jeff:

We have completed our review of the Conceptual Mitigation Plan (prepared by Earth Tech) for the above-mentioned project. We apologize for the delay in getting our comments to you but a project of this size and scope required extensive internal review and discussion among DNR staff.

We commend WISDOT and Earth Tech staff for conducting a very thorough mitigation site search and we appreciate your agency's commitment to assure that natural resource protection and enhancement is a critical element of the STH 26 project. As you know, the project when completed will effect the regional landscape well into the future and hopefully the result will be a safe reliable highway facility and permanent improvements to the natural resource values that are part of the surrounding landscape.

We offer you comments about aspects of the plan that we assume will be covered as you move to the design phases of the mitigation sites. Also, we need to brief you on recent events that have influenced our position on the final recommendations for near site mitigation.

Practical Measures to Avoid and Minimize Wetland Impacts

We ask that you include upland buffers as a critical element in efforts to minimize harm to existing wetlands. The Guidelines for Conducting Wetland Mitigation in Wisconsin offer recommendations for creating buffers around wetlands to assure functional values are not compromised.

There are specific wetland areas along the corridor that will require strict adherence to the sequencing process. Enhancement measures should be incorporated into the sequencing process especially where more sensitive wetland areas are present. These measures should include adding flood storage capacity and water quality protection functions.

Restoration Methodologies

The plan mentions restorations within the right of way as a method to improve wetland functions. We support this approach and as an example the proposed North Watertown interchange and the Rock River Crossing at Watertown may provide opportunities for storm water storage, possibly storm water

infiltration, and other improvements to wetland functions.

The ultimate mitigation site should be at a location on the landscape where hydrologic function can be restored as completely as possible. Hydrologic function will greatly influence site analysis, site selection, and the ultimate restoration plan. Finally, we concur with the plan to mitigate at a 1.5:1 ratio and we believe this approach will hopefully result in a net improvement to the environmental integrity of the surrounding landscape. For upland acreage we will agree to a 4:1 credit for upland areas that are enhanced with native seeding per the wetland guidelines.

Wetland Mitigation Site Search Results

Site J-11 (Alfred Schroedl) is a very good fit for floodplain and riparian wetland restoration. The boundaries of J-11 in the October 2002 site search report are limited to the area north of USH 18 with the Crawfish River on the east. As a reminder, Ron Grasshoff inspected Site J-11 with Earth Tech staff (I believe in 2002) and from the site visit Ron believes we agreed to include lands to the south of USH 18 in the restoration design. This area will require removal of structures but there are deep ditches that can be obliterated to restore hydrology and opportunities to connect the area to City Park land further to the south. As stated (in the plan), both areas to the north and south of USH 18 will be partially landlocked by the Jefferson by-pass and the south parcel should be included in the site for a more comprehensive restoration.

The plan mentions Site J-2 as the preferred choice for near site mitigation. For clarification, please review the attached email correspondence. These messages are a follow-up to additional site investigation work that John Jackson and Ron conducted during the fall of 2002. At that time Site J-1 (Anfang) was our (DNR) first choice for near site mitigation.

Recently, the Madison Audubon Society purchased 1,496 Acres of drained wetland directly east of Site J-7 (Febock) for wetland restoration. Of the total, 1,461 acres will be transferred to DNR. The remaining 35 acres near Hope Lake will remain with Audubon.

Landscape position makes J-7 (Febock) ideally suited for restoration. It is adjacent to the Lake Mills Wildlife area, Hope Lake (a relatively wild kettle type lake) and within Lake Ripley subwatershed. Lake Ripley has an active Lake Protection District and the District has purchased agricultural lands surrounding the lake basin to protect water quality. This acquisition when restored will hopefully contribute to improvements in long-term water quality, at least in the surrounding watershed.

Also, J-7 is a priority area according to our Land Legacy Program. Land Legacy is an inventory of places critical in meeting Wisconsin's future conservation and recreation needs. I have attached a description of the Crawfish River - Waterloo Drumlins legacy area that includes Site J-7. Because of the recent acquisition, we now see Site J-7 (Febock) as having significantly greater potential as a mitigation site. The property restored and in public ownership will compliment our efforts on adjacent lands and fit in with our long-term conservation goals for the region.

We realize that the Febock property includes substantial upland and even the hydric soil areas are slightly higher in elevation from the property directly east. These factors raise concerns about the ultimate yield in restored wetland and wetland credits. At this point, we believe that there should be more site analysis and further discussion between the agencies before these factors eliminate the site as the first priority.

Finally, we do not want to underestimate the importance of sites J-1, J-2, and J-3 as they are also near state lands and within a Land Legacy area. We believe that J-7, J-1 and at least J-3 should be evaluated further with J-7 (Febock) as the first priority. Further evaluation should include more discussion with the

landowners about the history of the properties, their goals and desires for the properties, and how adjacent landowners would view a large scale wetland restoration. This dialogue should occur along with additional field investigation.

Jeff, you mentioned in phone messages the option of meeting on this and we certainly would like involving our staff in a discussion with you on these sites as the next step in the site search and in site development.

Thank you for the opportunity to review and comment on the conceptual plan and we are very encouraged by the initial results of the site search and conceptual mitigation plan.

Sincerely,



Russ Anderson

Environmental Analysis & Review Supervisor

Telephone: (608) 275-3467

Enclosures

Cc: Ron Grasshoff, SCR
Cathy Bleser - SCR
Jennifer Grimes / Rosie Meer - WI DOT Dist. 1
Jon Guntow, Earth Tech, 4135 Parkway, Sheboygan, WI 53083-1883
John Jackson, DOT
Charlie Kilian - Janesville
Don Bush - Janesville
Ken Johnson - SCR
Mark Martin - ER/4
Steve Miller - LF/4

Grasshoff, Ronald E

From: Grasshoff, Ronald E
Sent: Wednesday, January 15, 2003 9:20 AM
To: 'jon.gumtow@earthtech.com'
Cc: Bleser, Catherine; Meer, Rosanne; Jackson, John
Subject: STH 26, Wetland Bank Site Search

Jon Gumtow,

John Jackson and I spoke this a.m. and John mentioned that he and Rosie Meer discussed the ranking issue for the STH 26 bank site this past week. They agreed on the following priorities for developing the bank site and I concur:

Anfang (J-1) is the first priority but Febock (J-7) should be pursued at the same time. Duesterbeck (J-3) is a close second but there is uncertainty as to how the homesite development on the drumlins and associated driveways would fit into the restoration. There is also drainage entering the site from the west that would need to be addressed. So Duesterbeck would be considered if contacts on the other sites do not produce positive results.

Ron Grasshoff

Environmental Analysis & Review Specialist
Wisconsin Department of Natural Resources
South Central Region
3911 Fish Hatchery Road
Fitchburg, WI 53711
608-275-3481
Ronald.Grasshoff@dnr.state.wi.us

Army Corps of Engineers Review Comments
Pre-Final Environmental Impact Statement
Wisconsin STH 26, Janesville to Watertown
June 21, 2004

COMMENT
NUMBER

General Comments: The Corps copy of the document did not have a summary. The draft FEIS was given a cursory review to determine whether the preferred alternative is likely to be the least environmentally damaging practicable alternative, among the alternatives evaluated, for the purposes of the CWA 404(b) 1 analysis. According to the draft FEIS, FHWA/WisDOT's preferred alternative is comprised of segments S3, C2(a), and N1.

The Corps' least environmentally damaging practicable alternative findings are at a corridor level only. Please coordinate with the Corps during the design phase to ensure that further wetland avoidance and minimization efforts are undertaken for each segment of the selected alternative.

Title Page: Suggest changing CWA section 404 reference to 40 CFR 230 (404(b)1 guidelines) or 33 CFR 325 (processing permits and regulatory NEPA process)

Purpose and Need, Page I-1: The Corps has determined that the following Purpose and Need Statement is suitable for use as the overall project purpose in any subsequent 404 permit application(s):

Improve STH 26 between Janesville and Watertown to provide a safe and efficient transportation corridor, by reducing congestion, enhancing safety, and providing an adequate level of service (LOS C) for forecasted 2028 traffic volumes.

Dismissal of Alternative 3D, Page II-28: While this alternative would impact fewer acres of wetland, the Corps concurs that, as described in the draft FEIS, it does not meet the purpose and need of the project, and is therefore not practicable.

Wetland Impacts, South Segment, Pages II-46, II-54 & V-2:

Based on information provided in the draft FEIS, it appears that alternative S3 is the least environmentally damaging practicable alternative among the alternatives evaluated. The Corps concurs that although alternative S3 impacts 6.7 (reduced to 6.07) acres of wetland compared to 5.7 acres for alternative S2, it has less ecosystem impact overall due to the provision of a buffer for the Storrs Lake Wildlife Area. Please include a commitment in the FEIS to provide this buffer as part of the project.

Wetland Impacts, Central Segment, Pages II-50, II-56 & V-3:

Based on information provided in the draft FEIS, it appears that alternative C2(a) is the least environmentally damaging practicable alternative among the alternatives evaluated.

Wetland Impacts, North Segment, Pages II-52, II-58 & V-5:

Based on information provided in the draft FEIS, it appears that alternative N1 is the least environmentally damaging practicable alternative among the alternatives evaluated.

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However, there is a discrepancy in N1 wetland impacts between Table 2.3.3, Table 2.4, and Table 4.2.2.4. The Corps concurs that although alternative N1 impacts more acres of wetland than alternative N2, it has less ecosystem impacts overall due to the avoidance of a high functional value forested wetland.

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Indirect Wetland Impacts, Page IV-53: The Corps will need to evaluate each subsequent 404 permit application to determine whether mitigation of indirect wetland impacts will be necessary.

Minimization Measures, Page IV-117: Please coordinate with the Corps when further wetland impact minimization efforts are undertaken in the design phase.

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Mitigation, Page IV-118: The Corps will need to determine the appropriate wetland mitigation when avoidance and minimization efforts are completed.